Afghanistan Research and Evaluation Unit

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Taking Refugees for a Ride?

The politics of refugee return to Afghanistan

David Turton and Peter Marsden



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About the Afghanistan Research and Evaluation Unit (AREU)

The Afghanistan Research and Evaluation Unit (AREU) is an independent research institution that conducts and facilitates quality, action-oriented research and analysis to inform policy, improve practice and increase the impact of humanitarian and development programmes in Afghanistan. It was established by the assistance community working in Afghanistan and has a management board with representation from donors, UN agencies and NGOs.

Fundamental to the AREU's purpose is the belief that its work should make a difference in the lives of Afghans. The AREU is the only humanitarian and development research centre headquartered in Afghanistan. This unique vantage point allows the unit to both produce valuable research and ensure that its findings become integrated into the process of change taking place on the ground.

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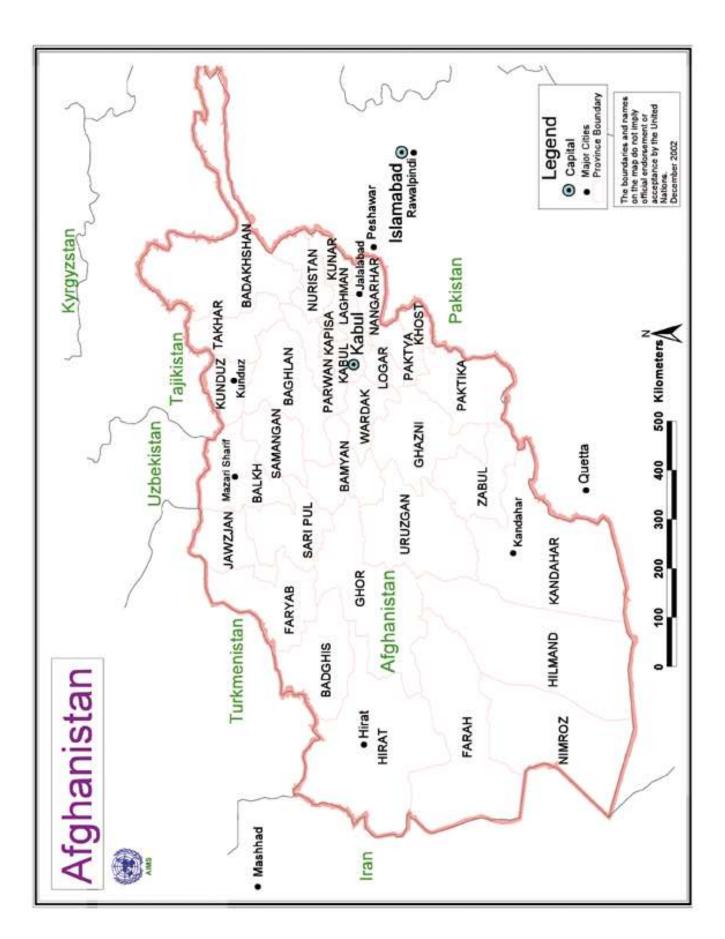
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Executive Summary

1. Introduction

Between March and September 2002, approximately 1.7 million refugees are estimated to have returned to Afghanistan in the largest and most rapid assisted return movement to have been organised by the Office of the United Nations High Commissioner for Refugees (UNHCR) since 1972. Although rightly seen as a massive vote of confidence in the new, UN-backed Afghanistan Transitional Administration (ATA), the return of so many people over such a short period, to a country devastated by 23 years of war and nearly four years of drought, was causing widespread anxiety by the end of the summer. Many of those who had returned were finding it difficult or impossible to survive in their home areas and the slow arrival of money pledged by donor states for the reconstruction of Afghanistan was threatening the "sustainability" of the return movement. In this paper, we chart the course of the assisted repatriation programme, discuss its consequences for those who repatriated, those who did not, and for the pace of reconstruction in Afghanistan, and ask whether it should - and could - have been managed differently.

2. The historical and political context

Refugees first began leaving Afghanistan in large numbers following the Soviet invasion of 1979. Refugee camps along the Pakistan-Afghanistan border became military bases from which the radical Islamist parties, which were opposed to the Soviet occupation, could mount incursions into Afghanistan. The US, wishing to weaken the Soviet Union by strengthening the guerrilla forces of the Afghan resistance, channelled military and humanitarian aid to these parties through the Government of Pakistan, which wanted to see an Islamist government in Kabul over which it could exercise control. In Iran, most Afghans lived in the poorer neighbourhoods of the major cities, rather than in camps, and received very little assistance from the international community. By the end of the 1980s, there were around three million Afghan refugees in Iran and about the same number in Pakistan.

Following the Soviet withdrawal in 1989, Afghanistan slipped off the agenda of Western foreign policy concerns, and donor governments began to lose interest in supporting a large population of Afghan refugees in Pakistan. A voluntary repatriation programme was launched in 1990, based upon the "encashment" of refugee ration books, and by 1995 all food rations to refugee camps (or "refugee villages") in Pakistan had been stopped. The Governments of Pakistan and Iran, meanwhile, began to harden their attitudes to the continued presence of Afghans in their countries. By the end of the decade, both governments had ceased to grant refugee status, on a *prima facie* basis, to new arrivals from Afghanistan, the great majority of whom they regarded as economic migrants.

The 11 September 2001 terrorist attacks on New York and Washington, and the US bombing campaign in Afghanistan that followed, put the country back into the international limelight. With the fall of the Taliban, and the establishment of the Afghanistan Interim Authority (AIA) in December 2001, a spontaneous return movement began among Afghans living in neighbouring countries. UNHCR's assisted repatriation programme began in March 2002 for those returning from Pakistan, and in April for those returning from Iran, with a planning target of 400,000 returnees from each country. By the end of September, more than 1.5 million had returned from Pakistan and more than 220,000 had returned from Iran.

3. How many returned and why?

The official figure for the number of returnees is an accurate record of those who received assistance, but not of those who repatriated. The provision of assistance to returnees, especially the cash grant to cover transport costs, resulted in an unknown number of "recyclers" signing up for repatriation and then returning to the country of asylum after having collected the assistance package. This was particularly prevalent among returnees from Pakistan, many of whom had relatively short distances to travel: The eastern and central provinces of Nangarhar and Kabul were the destinations for 60 percent of those who had returned by the end of August. Furthermore, many of those who returned to these two provinces may actually have been

seasonal migrants who had no intention of staying in Afghanistan beyond the summer. If we add to this the equally unquantifiable "backflow" of returnees who returned to the country of asylum because of difficulties they encountered on reaching their home areas, it seems likely that the official figure for the number of returnees should be reduced by at least 200,000.

Nevertheless, the scale of the return, when compared to other recent assisted repatriation operations, was undeniably huge. That so many Afghans should have returned, so rapidly, to a country still devastated by war and drought and

requires some explanation. Four potentially significant factors are worth considering.

- A longing for home? This must have been a relatively unimportant motive for return, given what we know about the rational basis of refugee decision making and about the way notions of "home" are transformed by the experience of exile.
- An offer they couldn't refuse? It is unlikely that the material value of the assistance provided would have persuaded people to return if they had not already wished to do so. But the mere fact that assistance was available may have sent out a powerful message to Afghans in Pakistan and Iran that, in the opinion of the UN and the international community, now was the time for them to go "home." The assistance package may therefore have had a symbolic significance for returnees, out of all proportion to the material difference it made to their lives.
- Great expectations? The refugees were bombarded with many other encouraging messages, relayed by the BBC's Pashto and Dari services and by the Iranian and Pakistani press, T.V. and radio. These were messages about huge amounts of aid that would soon be flooding into Afghanistan, and about the exciting task of national reconstruction that lay ahead in a country where peace and security would be assured by an international military presence.
- Pressure from countries of asylum? Afghans in Iran and Pakistan have suffered increasing levels of police harassment during the past few years. Those in Iran have also experienced

increasing problems in gaining access to employment, and also to education and health services. In Pakistan, the government has attempted to seal the border against new arrivals and has issued eviction orders to residents in camps in the Peshawar area.

On the basis of interviews with returnees, however, we do not believe that police harassment was enough to persuade people to repatriate, provided they were managing fairly well economically. For such people, the most rational course of action was to "wait and see." It was those who were having difficulty making ends meet that would have been most likely to put their trust in the "encouraging messages" they were receiving from the international community and to "vote with their feet" for repatriation. This hypothesis helps to explain why the overwhelming majority of the returnees were from the urban areas of Pakistan, where they had been surviving on low and erratic incomes from daily labour.

4. "Post-conflict" reconstruction: a familiar story

UNHCR's initial plans for reintegration assistance had to be scaled down drastically because the returnees so greatly exceeded the number budgeted for. Meanwhile, reconstruction assistance was taking much longer than expected to materialise, and calls for the extension of the International Security Assistance Force (ISAF) beyond Kabul continued to fall on deaf ears. About a million people were internally displaced, partly by the effects of the drought and partly because of ethnic unrest in the north. The result was that more and more of the relatively meagre funds pledged by the international community for the reconstruction of Afghanistan were being spent on life-saving emergency assistance.

UNHCR now found itself in a familiar situation—"alone on the dance floor," vainly encouraging its development partners to get to their feet. Meanwhile, the donors were complaining that UNHCR was overreaching itself by getting involved in "development" rather than "relief;" the Afghan government was complaining that precious development funds were being used merely to keep its citizens alive; and many returnees were complaining that they had been encouraged by promises of assistance to return to a situation in which they were worse off than in the country of

asylum. What had gone wrong? To answer this question in terms of a failure of "inter-agency cooperation" is too easy, because it conveniently ignores the external political and economic factors that create the conditions that lead to refugee flows in the first place, and constrain the activities of humanitarian organisations in responding to them.

The return of Afghan refugees in such large numbers in 2002 was good news for the major institutional actors. For the Afghan government it could be seen as a vote of confidence, strengthening its hand as it endeavoured to exercise authority over rival local power holders. For the US and its allies, it could be seen as a retrospective justification of the overthrow of the Taliban. For the governments of Pakistan and Iran, it represented a reduction in what they saw as the unfair economic burden of hosting Afghan refugees. And for UNHCR, it emphatically demonstrated its "relevance" to the international community.

For the official "beneficiaries," however, the picture is not so clear. This is, first, because of the extreme heterogeneity of their circumstances and, second, because so little is known about the actual conditions in areas of return. It is safe to say, however, that many returnees found themselves in a worse position after their return than before, and that the scale and speed of the return helped to divert yet more of the limited funds available for reconstruction into emergency assistance. This raises questions about the term "facilitated" return.

This term is used by UNHCR when it is assisting refugees to return to "post-conflict" situations which, as in Afghanistan today, it does not regard as suitable for "promoted" return. The distinction is difficult to make in practice. The suspicion arises, therefore, that it is a semantic device that allows the international community to exert pressure on refugees, in the form of "encouraging messages," to return to fundamentally unsatisfactory situations, while appearing to stand by internationally agreed norms of voluntary repatriation. This may explain why UNHCR itself sometimes seems uncertain whether it is "facilitating" or "promoting" return, as when the success of a supposedly "facilitated" return operation is measured in terms of the number who have repatriated.

Should UNHCR, then, have positively discouraged a mass return of refugees to Afghanistan in 2002? This would have meant putting the assisted repatriation programme on hold for at least a year and sending out a strong warning to refugees about the length of time it was likely to take for reconstruction efforts to show results. A number of beneficial consequences might have resulted, had this approach been adopted:

- Fewer refugees would have gone back because of unrealistic expectations;
- There would have been less pressure on scarce assistance resources during the crucial early period of transition and reconstruction;
- More time, effort and money could have been devoted to the rehabilitation of areas of potential return;
- Donor governments and development agencies might have had their minds concentrated on the need to make early and tangible progress with reconstruction and with the enhancement of security beyond Kabul; and
- UNHCR would have been in a stronger position in its negotiations with non-neighbouring states about the return of Afghans from their territories.

But even if such a policy had been judged desirable and potentially effective, it might nevertheless have been ruled out because of political constraints on UNHCR's freedom of action - coming from its funders, from the government of Afghanistan and from countries of asylum.

5. Those who remain

Most of those who returned to Afghanistan in 2002 had left the country during or since the Taliban period. It is likely that around two million Afghans will remain in Pakistan, and the same number in Iran, after the 2002 repatriation "season" has ended. More than 70 percent of those remaining in Pakistan will be living in "camps," or "refugee villages," and many of them will have been in Pakistan for between 10 and 20 years. We can assume that both governments will want to maintain the momentum of return over the coming years and that they will keep up their pressure both on refugees and on the UNHCR to achieve this objective.

It follows that donor governments should not only increase their direct support to UNHCR's protection activities on behalf of refugees in Pakistan and Iran, but that they should also support these activities indirectly, by giving significant burdensharing aid to both countries. In the absence of such aid, it seems that "facilitated" repatriation is the only means available to UNHCR to reduce the pressure on refugees from the governments of host countries.

But we must also recognise that the Afghan refugee "crisis" of the past 20 years has been overlaid on a history of economic migration, both within the Central Asian region and beyond, going back hundreds of years. The importance of economic migration as a survival strategy for Afghans is probably greater now than it has ever been, because of population increase and the effects on the agricultural base of 23 years of war and four years of drought. We must therefore assume that a significant number of Afghans will seek to remain in both countries, both as family groups and as single-wage earners, and that they will find increasingly inventive methods to circumvent any attempts at stricter border control and police scrutiny inside the country.

In considering the return of refugees to Afghanistan, therefore, we should not equate "sustainability" with immobility, or "anchoring" people to their places of origin. It is unlikely that either Pakistan or Iran will formally accept Afghans as economic migrants in the foreseeable future. In the long run, however, the effective protection of refugees in the region, and the search for "durable solutions," will mean tackling the general problem of unregulated economic migration.

6. Conclusion

A number of immediate practical steps could be taken to address at least some of the issues raised in this paper. These include,

- increasing the amounts pledged at the Tokyo Ministerial Meeting in January 2002 for reconstruction and emergency aid to Afghanistan and speeding up the release of funds for development;
- expanding ISAF beyond Kabul to each of the 32 provincial capitals;
- investing more resources in returnee monitoring to provide reliable information about areas of return;
- increasing direct donor support for UNHCR's protection activities in Pakistan and Iran;
- increasing indirect donor support for UNHCR's protection activities by giving significant "burden sharing" assistance to countries of asylum;
- setting up a government body to coordinate assistance to drought victims and the internally displaced, so that this role is not left to UNHCR; and
- undertaking in-depth, qualitative research to improve our knowledge of refugee decision making and of the regional and transnational networks that sustain the incomes of Afghan households and families.

These recommendations are neither original nor contentious. They also tell a story that has repeated itself in several "post-conflict" situations over the past ten years. This is why we have been led to focus our analysis on those external political factors which ultimately determine how refugee flows are addressed by the international community. Our principal conclusion is that it was these external factors that led UNHCR to launch an assisted repatriation programme in early 2002, which was, arguably, in the interests neither of the majority of its intended beneficiaries nor of the long term reconstruction of Afghanistan.

1. Introduction



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By the end of 2002, about two million refugees are expected to have returned to Afghanistan from Pakistan and Iran, most of them under an assisted repatriation programme run by the Office of the United Nations High Commissioner for Refugees (UNHCR). Although the numbers can be disputed, this has certainly been the largest and most rapid organised repatriation of refugees since 1972, when nearly 10 million people returned to the new state of Bangladesh, after the Indo-Pakistan war.

During the first months of the repatriation there was huge satisfaction - even euphoria - about the large numbers that were opting to return, so soon after the establishment of the Afghanistan Interim Authority (AIA) in December 2001. In fact, the numbers returning were much larger than expected, and this was widely and rightly regarded as an impressive vote of confidence in President Hamid Karzai and in the commitment of the international community to honour its promises not to "walk away" from Afghanistan as it had done after the Soviet withdrawal in 1989. As the months went by, however, euphoria gave way to

anxiety about the "sustainability" of the return, and about its impact on the pace of reconstruction. For it seemed that many of those who had returned were finding it difficult to survive in their home areas and were having to consider returning to the country of asylum or becoming internally displaced. The problem was a familiar one: the inadequacy and slow arrival of the money pledged by the international community for the reconstruction of Afghanistan, and the need to spend most of the money that had arrived on emergency assistance. In this paper, we chart the course of the assisted repatriation programme, discuss its consequences for those who repatriated and those who did not, and ask whether it should - and could - have been managed differently.

We begin, in Part 2, with an account of refugee movements in the region between the Soviet invasion of late 1979 and the US bombing campaign of late 2001, and of responses to those movements by neighbouring and non-neighbouring states. We do not see this as mere "background" information that can be safely ignored. Rather, we see it as providing the historical and political context that

gives meaning to those events and policies. One of the main aims of the paper is to challenge "internalist" assumptions about the causes of refugee flows, and about the way the international community responds to these flows. If these assumptions are not regularly challenged, there is a danger that humanitarian organisations will be seen not only as serving the strategic political objectives of the rich, industrialised nations, but also of doing so at the expense of the world's poor. As the quotations that we place at the head of Part 2 indicate, it is no less the case now than it was a hundred years ago, that to understand Afghanistan is to understand its historical significance (or insignificance) to other, more powerful states, within the region and beyond.

In Part 3, we focus on the 2002 assisted repatriation programme by asking first, how many repatriated, and second, why they did so. While the scale of the return was undeniably huge, it was not as huge as the official figures suggest. This is important, not because it demonstrates that money was "wasted" on refugees who did not return, but because of the questions it raises about the role of repatriation assistance, and especially of cash grants, in "facilitating" return to "post-conflict" situations. The concept of "facilitated" return is further brought into question by our conclusion, later in Part 3, that the main factor leading so many refugees to return in 2002 was misplaced expectations – fed by political leaders and relayed by the mass media — about the extent and early impact of emergency and development assistance to Afghanistan.

In Part 4, we show that the mass return of refugees to Afghanistan in 2002 is the most recent example of a problem that has dogged the UNHCR since the early 1990s, when it became proactive in assisting repatriation to "post-conflict" societies. This is the problem of how to make the return "sustainable," by bridging the "gap" between emergency and development assistance. We argue that this problem will not be solved (although it may be ameliorated) by efforts to improve "aid management" and "inter-agency-cooperation," because it is a product of external factors that determine the policies of the rich, industrialised states towards refugee flows in the developing world. Specifically, we argue that, in assisting a mass return of refugees to Afghanistan in 2002, UNHCR was responding more to the perceived political interests of its donors and host governments, than it was to the actual interests of the majority of its "beneficiaries."

In Part 5, we consider the situation of those Afghans living in Pakistan and Iran who will not have repatriated by the end of 2002, and who may number about 4 million. Many will certainly repatriate over the next few years if the situation in Afghanistan becomes more - rather than less - stable, but all agree that a sizeable population of Afghans will remain in neighbouring countries for the foreseeable future. This highlights the need, not only for more donor support for UNHCR's protection activities in these countries, but also for significant burden-sharing aid. Without this aid, the only way UNHCR can relieve the pressure on refugees from host governments is by maintaining a steady rate of "facilitated" return. It also highlights the historical importance of economic migration as a survival strategy for Afghans, and for the economies of neighbouring countries. In the long run, the search for "durable solutions" to refugee problems in this, as in other parts of the world, will mean tackling the general problem of unregulated economic migration.

We conclude, in Part 6, by reiterating our view that international refugee policy is determined by the political and economic interests of the rich industrialised states, which, as the case of Afghanistan amply shows, are not necessarily consistent with the interests of refugees. We list a number of short-term measures that could be taken to address some of the most pressing issues we raise in the paper. But we place our best hopes for the future on the ability of the international humanitarian community to exert pressure on the elected representatives of powerful donor states to give practical substance to the humanitarian rhetoric they increasingly depend on to legitimise their foreign policy objectives.

Turton, who focused on the return from Pakistan, spent five weeks in Afghanistan and Pakistan (4 September - 8 October, 2002), visiting Kabul, Jalalabad and Kandahar in Afghanistan, and Peshawar, Islamabad, Karachi and Quetta in Pakistan. Marsden, who focused on the return from Iran, spent two weeks in Afghanistan, (24 September - 8 October, 2002), visiting Kabul and Herat. Apart from interviewing a wide range of UN and NGO staff, donor representatives and government officials, we visited camps for the

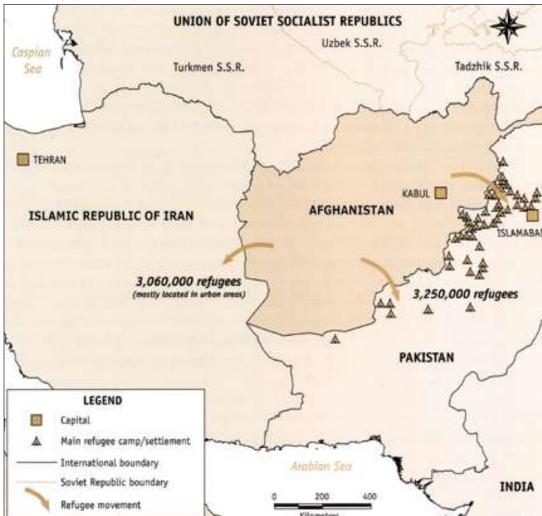
internally displaced (at Zhare Dasht near Kandahar and Hesar Shahi near Jalalabad) and refugee villages in Pakistan (Kacha Ghari, Jalozai and Shamshatoo near Peshawar, Haripur, between Peshawar and Islamabad, and Surkhab and Saranan near Quetta). Neither of us visited Iran, but Marsden, who had visited Iran in the past to study the situation of Afghan refugees, was able to conduct a number of interviews with returnees from Iran in transit camps and villages near Herat.

The information upon which the paper is based, therefore, comes from a reading of whatever relevant documentation - updates, briefing papers, reports etc. - we could find, and from listening to the views, opinions and anecdotal evidence generously offered by refugees and returnees, by a wide range of national and international agency staff and by government officials. We have tried to piece together from this patchwork a coherent and simplified account of a highly complex and fleeting reality. We recognise that our account,

and the arguments built upon it, will reflect many biases, some of which we are aware of and some of which we are not. We are acutely aware, for example, that the "refugee voice," both male and female, is not as well represented in the paper as it should be. This may be accounted for by the priority that had to be given to understanding the approaches and policies of the various institutional actors, and to the relatively short time we were able to spend in the field. But we regret the resultant "ethnocentricity" which the paper shares with many similar reports and papers, written without the benefit of systematic, indepth research among the "beneficiaries" themselves.

Despite these and other shortcomings, we hope that the issues we have highlighted and the arguments we have presented will help to advance the debate, not only about the return of refugees to Afghanistan, but also about the role of assisted repatriation as a "durable solution" to refugee problems elsewhere in the world.

2. The Historical and Political Context



Main Afghan refugee flows, 1979-90

Between the Russian Dominions in Asia and the Indian Empire of Great Britain, Afghanistan is placed, like a nut, between the levers of a cracker.

G.P. Tate, *The Kingdom of Afghanistan: A Historical Sketch* The Times Press, Bombay, 1911 (p.1).

Outside powers have contributed generously to...grinding down Afghan society and seeking variously to subjugate the country, use it as a springboard for their strategic ambitions or exploit its internal divisions and conflicts.

Carl Conetta, *Strange Victory: A critical appraisal of Operation Enduring Freedom and the Afghanistan war*, Commonwealth Institute Project on Defense Alternatives, Research Monograph No. 6 (2002).

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¹ Reprinted 1973 by Indus Publications, Karachi.

Cold War politics

Refugees first started to leave Afghanistan in large numbers in the early 1980s, following the Soviet invasion of December 1979. Because the country had been invaded by a non-Islamic power, flight was seen not only as a means of escaping from war and violence but also as a religious duty. The invasion had been preceded by spontaneous resistance to the communist People's Democratic Party of Afghanistan (PDPA), which had come to power in April 1978 through a military coup.

The emergence of the PDPA was an outcome of the greater accessibility of higher education to those outside the ruling elite from the 1950s onwards. Many of those who were attracted to the socialist radicalism of the PDPA were from the rural areas.³ They were people who had benefited from higher education, but who found themselves denied access to the corridors of power. Another group of intellectuals operating within university circles - with similar origins in the rural areas - found its own alternative utopia in the radical Islam of the Muslim Brotherhood. Conflict between these two radical movements became the principal driving force in the process of state formation in Afghanistan. This was a state whose legitimacy had been "at all times shaky,"4 not least because its borders had been drawn by the great powers, essentially to form a buffer between the Russian and British empires. It was this conflict, fuelled and orchestrated by neighbouring and non-neighbouring states in pursuit of their own strategic interests that eventually led, during the 1980s, to the outflow of more than six million refugees from Afghanistan

and the deaths of over one million of the country's population.

The Soviet invasion transformed - virtually overnight - the strategic significance of Afghanistan to its regional neighbours and to the Western powers. First, it provided an opportunity for exiled Afghan Islamist parties to strengthen their position by claiming leadership of the resistance to the invasion of Afghanistan by a non-Islamic power.⁵ These parties, which became known as mujaheddin, or "fighters in a jihad," because of the Islamic character of the resistance and the consequent existence of a jihad or holy war, sought to build international support for their cause. Second, such support was readily forthcoming from the then President of Pakistan, General Zia-ul-Haq, who had come to power in a military coup in 1977 and who had a clear ambition to build an Islamic bloc, incorporating Pakistan, Afghanistan and the Central Asian Republics, as a counterweight to India. Third, this ambition was consistent with the foreign policy objectives of the United States. Taking over the historic role of Britain in the region, the US saw the mujaheddin as a mechanism for weakening the Soviet Union, by engaging it in protracted guerrilla warfare. Because it did not want to be seen, at least initially, as providing support to the *mujaheddi*n, it used the government of Pakistan as a conduit for arms supplies and other, supposedly humanitarian, resources.⁶ Suddenly General Zia, who had shocked the world by his execution of Prime Minister Bhutto in April 1979 and by his ruthless suppression of democracy in Pakistan, became a darling of the West, a bastion of support for the free world in its "war" against communism.

 $^{^{2}\,}$ See Centlivres and Centlivres-Demont (1988), Sharani (1995).

³ This applied particularly to the Khalq wing of the PDPA, whose supporters "were generally from poorer families in the rural areas and were predominantly Pashto speakers." (Arney, 1999, p. 61).

Maley, 1998, p. 6.

⁵ Many of the more high-profile leaders of these parties (Gulbuddin Hekmatyar, Burhanuddin Rabbani and Ahmad Shah Masoud) had fled to Peshawar, in Pakistan, in 1975, when the then President of Afghanistan, Sardar Mohammed Daoud, moved against the Islamic radicals, whom he saw as a direct threat to his power.

In an interview published in *Le Nouvel Observateur* (15-21 January, 1998), Zbigniew Brzezinski, who was President Carter's National Security Chief at the time of the Soviet invasion of Afghanistan, said that the US began giving secret aid to the *mujaheddin* in July 1978, and that this was expected to increase the likelihood of a Soviet invasion. "The day that the Soviets officially crossed the border, I wrote to President Carter: We now have the opportunity of giving the USSR its Vietnam. Indeed, for almost ten years, Moscow had to carry on a war insupportable by the government, a conflict that brought about the demoralization and finally the break-up of the Soviet empire." When asked by the interviewer whether he regretted having given arms to future terrorists, Brzezinski replied: "What is more important to the history of the world? The Taliban or the collapse of the Soviet empire? A few crazed Muslims or the liberation of Central Europe and the end of the Cold War?" (Quoted in T. Ali, 2002, pp. 207-8).

By 1981, the outflow of refugees to Pakistan and Iran was estimated to have numbered 2.3 and 1.5 million respectively. Those in Pakistan were mostly ethnic Pashtuns, and in Iran mostly ethnic Tajiks, Uzbeks and Hazaras. The refugees who left during the 1980s were almost exclusively from the rural areas. This was particularly so on the Pakistan side. Those leaving for Iran included people from Herat city as well as from rural areas in the west and north. In addition, a relatively small population of professionals left Kabul because of purges within the ranks of the PDPA, and because of the ongoing state of conflict. These professionals travelled to the USA, Europe, Pakistan and India.

In Pakistan, refugee camps were established along the length of the border, but especially in the Northwest Frontier Province (NWFP). Assistance provided to the camps by the international community included the supply of tents and various other non-food items. Food rations, principally in the form of wheat, were also provided, and NGOs were contracted by UNHCR to organise education, health care, water supply and sanitation services, together with vocational training and income generation. In time, the refugees built their own mud houses, thereby transforming the camps into "refugee villages." Although they were mainly from rural areas, they were not given land for cultivation but were allowed to move freely around the country in search of work. By December 1990, there were said to be 3.3 million Afghan refugees in Pakistan, and more than 300 refugee villages.8

Throughout the 1980s, these villages provided the *mujaheddin* from different Islamic parties with secure operational and recruiting bases from which to engage in incursions into Afghanistan. These parties also set up their own educational institutions *(madrassas)* to bring up a new generation of adherents in their particular ideology or creed. A good example was the Jalozai camp,

near Peshawar which was established in 1980-81 (with financial assistance from Saudi Arabia) by a former theology lecturer from Kabul University, Abdul Rasoul Sayyaf, the leader of the Ittihad-I Islami (Islamic Unity) Party. This became an important mujaheddin training camp, with arms and ammunition depots; barracks and family quarters; a medical college and hospital; schools and madrassas; and an office of Pakistan's Inter-Services Intelligence (ISI). It was through the ISI that US financial and military assistance to the mujaheddin was distributed. Coordinated by the Central Intelligence Agency (CIA) and the US Agency for International Development (USAID), this aid is estimated to have amounted to between US \$4 and 5 billion between 1980 and 1992.9

In Iran, the 1979 revolution had put an Islamic fundamentalist government in power. In the same year, radical students had seized the US embassy and held many of its staff hostage. The resulting tension in the relationship between Iran and the West probably explains why Iran did not, at least initially, seek international assistance in dealing with the influx of refugees that followed the Soviet invasion of Afghanistan. But even when, a year later, Iran did formally ask for such assistance, the level of help it received did not match that given to Pakistan.

"Although UNHCR ultimately obtained some funds for Afghan refugees in Iran, the disparity in expenditures between Pakistan and Iran remained substantial throughout the 1980s and 1990s. Between 1979 and 1997, UNHCR spent more than US \$1 billion on Afghan refugees in Pakistan, but only US \$150 million on those in Iran."

The Iranian government provided the refugees with access to free education, health services and to subsidies on basic essentials. In addition, refugees were permitted to work in one of 16 designated, menial occupations. A limited number

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⁷ UNHCR, 2000, p. 119. As indicated elsewhere in this paper, official estimates of the numbers of Afghan refugees and returnees have always been more or less inaccurate and subject to wide variation. A good rule of thumb, therefore, is to treat all such figures with caution. Unfortunately, and as explained in Part 3 below, inaccurate figures are still being generated by the current assisted repatriation programme.

⁸ UNHCR, 2000, p. 116.

Rashid, 2000, p. 18. Like the Western support that was given to Khmer resistance forces in camps along the Thai-Cambodian border in the 1980s, this was a blatantly political use of aid which made the refugees "pawns in the larger geopolitical struggle" (Loescher, 1993, p. 89; Eastmond and Ojendal, 1999).

¹⁰ UNHCR, 2000, p. 118.

of camps were established along the border from which incursions into western Afghanistan took place, though on a much smaller scale than in Pakistan and without US support. For the most part, refugees were responsible for finding their own accommodations, which tended to be in the poorer neighbourhoods of the major cities. By 1990, there were estimated to be three million Afghan refugees in Iran, living mainly in urban areas. ¹¹ This brought the total Afghan refugee population in Pakistan and Iran to more than six million, the largest refugee population in the world.

The world loses interest

When the Soviet Union finally withdrew from Afghanistan in February 1989, it was assumed that the PDPA government in Kabul, now led by President Najibullah, would fall immediately, and that a *mujaheddin* government would take over. This event, signalling as it would the end of the jihad, was expected to lead to a mass return of refugees from Pakistan and Iran. Plans were therefore made for an assisted repatriation programme from Pakistan, based on the "encashment" of refugee passbooks: In return for the cancellation of their passbooks, families wishing to repatriate would be given a cash grant of US \$100, to cover the average cost of travel back to Afghanistan, and 300 kg. of wheat. Both the cash grant and food assistance would be distributed in Pakistan, leaving the refugees free to decide not only when, but also whether to return. This was about "de-registration," then, as much as it was about repatriation. It reflected the desire of donors to reduce their assistance to refugees in Pakistan, now that the Soviet occupation of Afghanistan was over. 12 According to a UNHCR review of the encashment programme, written after it had been running for three and a half years,

"For many donors, the principal appeal of the system was that it provided a reliable means

of deregistration. Whether a refugee family repatriated or remained in Pakistan after encashment was of less importance; the key point for donors was their removal from the assistance register. Consequently, while other aspects of the humanitarian effort in Afghanistan have seen a dramatic reduction in donor interest in recent years, the encashment programme has, until recently, faced no serious shortage of funds."¹³

By July 1990, the population eligible for the encashment programme had been "fixed" by the revalidation of 600,000 ration books, "representing more than 3 million registered refugees."14 The programme was up and running by July 1990. However it was not until April 1992, following the collapse of the Soviet Union itself, that the Najibullah government fell to the mujaheddin and the expected mass return took place. In that year, more than 900,000 individuals (not all of them having availed themselves of the assistance provided under the repatriation programme) were observed crossing the border into Afghanistan, most of them during the six-month period between May and October. 15 The pace of return slowed down in the autumn, partly because of the approach of winter, but also because it had become apparent that the *mujaheddin* government under President Burhanuddin Rabbani was not able to offer stability and security because of internal power battles between the major party leaders.

Meanwhile, the Iranian government signed a threeyear repatriation agreement with the government of Afghanistan and with the UNHCR in December 1992, and began actively encouraging return, issuing temporary registration cards for those who wished to repatriate. Over the spring, summer and autumn of 1993, about 600,000 Afghans returned from Iran, over 300,000 of them under the assisted repatriation programme. In the process, most of the camps that had been

¹¹ UNHCR, 2000, p. 116.

One of the aid officials interviewed pointed out that, "the GoP was also initially right behind the policy of reducing the assistance package and de-registration. Having been instrumental in brokering the agreement on the interim mujaheddin government, it was keen to see the refugees repatriate. It expressed the view that the removal of the communist government in Kabul lifted the political obstacles to the return of refugees. This was also the position of the Iranian government."

¹³ UNHCR, 1994, p. 13.

¹⁴ UNHCR, 1994, p. 7. The actual number of camp based refugees must have been much smaller than this, since it was widely accepted that many of the ration books in circulation represented fictional families, having been issued in private deals between the leaders of Afghan refugee groups and Pakistani officials.

¹⁵ UNHCR, 1994, p. 8.

established the length of the Iranian border were bulldozed. ¹⁶ It proved impossible to maintain the same level of returns in 1994 and, with the capture of Herat by the Taliban in September 1995 (which led to a significant outflow of educated professionals and others to Iran), assisted repatriation from Iran effectively came to a halt. ¹⁷

Assisted repatriation from Pakistan continued throughout the 1990s, but at a much-reduced level from that of 1992. More than 300,000 individuals are estimated to have returned in 1993. However, more than 200,000 of them came unassisted, so the number of assisted returns hovered around the 100,000 mark.

Meanwhile, continuing armed conflict between the *mujaheddin* political parties was producing significant population movement, in the opposite direction, particularly from Kabul. In January 1994, the northern Uzbek commander Rashid Dostum joined forces with Gulbuddin Hekmatyar, then Prime Minister of Afghanistan, to try to unseat Rabbani. Rockets rained on Kabul from the southern mountains and led to the exodus of more than 65,000 people to Pakistan and to other parts of Afghanistan. It was in the same year that the Taliban emerged as a force to be reckoned with in southern Afghanistan, taking the second largest city, Kandahar, with the loss of only a dozen men. In 1995 the Taliban took Herat, in 1996 Jalalabad and Kabul, in 1998 Mazar-i-Sherif and, in September 2000, Talogan, the last major city outside their control. These offensives displaced tens of thousands of people, some within Afghanistan itself and others into neighbouring countries. The effects of fighting on both cross-border and internal displacement were exacerbated by the worst drought conditions in living memory, beginning in 1999 in the north and west and continuing to this day in the south and east. 18 Altogether, it was estimated that more than 170,000 people entered Pakistan during 2000 and that by the middle of 2001, nearly a million Afghans were internally displaced, more than half of them in northern and central Afghanistan. 19

Despite the continuing outflow of Afghans into Pakistan and Iran throughout the 1990s, donors were encouraging the World Food Programme (WFP) and UNHCR to scale down the level of support to camp-based refugees in Pakistan.²⁰ Both agencies made annual assessments of the capacity of refugees to secure an income through the labour market or business activity, and monitored nutritional levels. Survival levels were tested by combining nutritional monitoring with apparently erratic gaps in the monthly delivery of wheat. On the basis of findings that the refugee population at large was apparently able to survive without food aid, a decision was made to halt food aid for refugees completely by September 1995, after a phased reduction. This had clear repercussions for the assisted repatriation programme, which had been based on the encashment of ration passes. After 1995, since these passes no longer gave entitlement to rations, the assisted repatriation programme was opened to both urban and camp-based refugees, whether or not they held passbooks. In other words, it ceased to be, even partly, a de-registration exercise. Since the focus was now entirely on repatriation, the assistance package, including the cash grant, was paid to the refugees once they had crossed the border into Afghanistan.

Based on an assessment that refugees could not only survive without food aid but could also afford to contribute financially to the provision of basic services, refugees living in camps were required to make financial contributions towards education,

¹⁶ This particularly affected refugees from the province of Farah, who had been accommodated in these camps in the early 1980s to provide a base for armed incursions into Afghanistan.

¹⁷ Marsden, 2002, p. 48.

¹⁸ Lautze, 2002, pp. 29-30.

¹⁹ USCR, 2001a, pp. 17, 23 & 32.

Food aid in Iran was limited to a small section of the refugee population over a specific period and is not therefore significant. One of the aid officials interviewed suggested that the reduction in donor support to refugees in Pakistan during the 1990s should be linked, not just to the Soviet withdrawal, but also to the fact that "one million" Afghans repatriated from Pakistan in 1992-93. But this is the number of refugees who encashed their passbooks, thereby deregistering themselves, rather than the number who repatriated. As we have just pointed out, encashment was, for many donors, more about getting refugees off the assistance register than it was about helping them to repatriate. And as we point out later, according to the Government of Pakistan, only one-third of those who encashed their passbooks between July 1990 and early 1994 actually repatriated.

health and water supply services. Some limited provision was made for vulnerable refugees through the distribution of edible oil to, for example, children in clinics or women participating in income-generation projects. It was clear from studies undertaken subsequently, however, that refugees were facing considerable difficulties surviving on intermittent daily labouring and that vulnerable families were relying heavily on the charity of their neighbours in the camps. This scaling down of assistance from the international community, combined with the steady outflow of Afghans to both Pakistan and Iran because of conflict and drought, led to a noticeable hardening in the attitude of these countries to their existing refugee populations and, especially, to new arrivals.

"Asylum fatigue" sets in

Neither Pakistan nor Iran accorded Afghans the status of refugees on the basis of the 1951 Convention and its 1967 Protocol (see box). Although Iran was a signatory to both documents, it chose to give Afghans the status of *mohajeri*n, or people who seek exile for religious reasons.²¹ They were thereby denied rights under the Convention and left dependent on whatever benefits might be given to them on the basis of hospitality. To date, Pakistan has signed neither the Convention nor its Protocol, being unwilling to find itself committed to the local integration of those qualifying as refugees under international law. 22 Like Iran, it has always regarded its hospitality to Afghans as a religious and humanitarian duty, and not as a legal obligation. The majority of Afghan refugees in Pakistan, moreover, were Pashtuns who had sought refuge in the Pashtun-inhabited NWFP. At least in the early years of their exile, they were seen as beneficiaries of traditional hospitality, as dictated by the strict code of honour (pashtunwali) practised by Pashtuns. But, by the mid-1990s, the governments of both Iran and Pakistan were

The 1951 UN Refugee Convention and its 1967 Protocol

The 1951 UN Convention Relating to the Status of Refugees spells out the obligations of states towards refugees and sets international standards for their treatment. Its two most important provisions are found in Article 1, on the definition of the term "refugee," and Article 33, on the prohibition of expulsion ("refoulement").

Article 1 defines a refugee as any person who, "owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country; or who, not having a nationality and being outside the country of his former habitual residence...is unable or, owing to such fear, is unwilling to return to it..."

Article 33 states that "No Contracting State shall expel or return a refugee in any manner whatsoever to the frontiers of territories where his life or freedom would be threatened on account of his race, religion, nationality, membership of a particular social group or political opinion..."

The refugee definition contained in the 1951 Convention was limited to persons who became refugees "as a result of events occurring before January 1951." Furthermore, when becoming a party to the Convention, states had the option of limiting their obligations to refugees from events occurring in Europe. In 1967, a protocol was added to the Convention, in which signatory states agreed to apply the Convention to all persons covered by the refugee definition, without reference to time or geographical limitation.

having second thoughts about the extent of their obligations towards Afghan *mohajeri*m, the great majority of whom they now saw as economic migrants or "economic refugees."

Most Afghans who arrived in Iran in the 1980s were issued "Blue Cards," which gave them the

[&]quot;Mohajer has the same root as hejra.... which refers to Muhammad's flight from Mecca to Medina...A mohajer is one who voluntarily goes into exile...to take refuge in a land of Islam...According to this conception, the inhabitants of the host country are associated with the merit of the mohajer; they are ansar, or auxiliaries, according to the name given to those who, in Medina, welcomed and aided the exiled from Mecca. The title ansar is used in Peshawar by the leaders of Afghan Islamist movements in their orations...During these speeches they respect the hierarchical order according to religious merit: mujahed (fighter in the jihad, mohajer, and ansar." (Centlivres and Centlivres-Demont, 1988, p.145) For an excellent analysis of the consequences of this "self-definition" of the Afghan muhajerin for their relations with their Pakistani hosts and the international assistance community, see also Sharani (1995).

²² This explanation of Pakistan's unwillingness to sign the convention was given by an official of the Ministry of States and Frontier Regions (SAFRON) in an interview with one of the authors.

status of involuntary religious migrants, though this could be revoked at any time. Originally, the Blue Card gave them entitlement to subsidised health care and free education, but these entitlements were reduced over time. A second category of documented refugees were those who responded to an invitation to register under a joint screening programme set up in April 2000 by UNHCR and the Bureau of Aliens and Foreign Immigrants Affairs (BAFIA). Those coming forward to register had the option of taking advantage of an assisted repatriation programme (including a cash grant and 50 kg. of wheat per person) or demonstrating their continuing need for protection. By the end of the year, more than 130,000 Afghans had returned under the repatriation programme and 80,000 had been issued with three-month residence permits, which could be renewed up to four times. Permit holders were "permitted to remain temporarily in provinces determined by the Iranian government until such time as the situation is conducive for their return."23

Afghans in Iran who do not fit into either category are regarded as illegal immigrants and are liable to be picked up by the police and often deported,

"Until 1992, refugee status was granted on a *prima facie* basis to all Afghans arriving in the Islamic Republic of Iran. Thereafter, all new arrivals were not granted the same [residence rights], thus creating a large group of...Afghans considered by the Iranian authorities to be illegal aliens...[T] he majority of Afghans working in Iran do so illegally."²⁴

Since 1997, the Iranian government has refused to register new arrivals from Afghanistan, and the police have stepped up their random questioning of Afghans in the street. In periodic waves, both those who had documentation and those who did not were taken to detention centres and then deported once a critical mass had been assembled. In 1998 about 90,000 and in 1999 around 100,000 Afghans were deported after such

round-ups in the eastern provinces and in urban centres. ²⁵ One of the most frequent complaints made by government officials about Afghans in Iran has been that they are taking jobs, especially unskilled jobs, away from local people because of the low wage rates they are prepared to accept. In April 2000, the *Majlis* (Parliament) passed a law, under Article 48 of the third, five-year development plan, requiring all foreigners not in possession of a work permit to leave the country by March 2001. Those who wished to stay had to show that if they went back their lives would be at risk - i.e., that they needed protection.

Since the late 1990s, the government of Pakistan has also hardened its attitude towards refugees from Afghanistan, a development that was summed up by one government official (interviewed by a representative of the US Committee for Refugees in June 2001) as follows,

"If donors have donor fatigue... then we have asylum fatigue... If donors' patience with the Afghan situation has run out, then so has ours." 26

As this comment indicates, perhaps the most important reason for the change in attitude was the decline in assistance from the international community for Afghan refugees during the 1990s. Not surprisingly, the government of Pakistan saw this as a case of the richest states in the world shifting the burden of refugee assistance onto the shoulders of one of the poorest. Another important reason was the conviction, shared also by the Iranian government, that most of the Afghans who left their country after 1999 were fleeing from the effects of drought and economic hardship and not from persecution.27

Afghan families entering Pakistan in the 1980s were issued with passbooks (also known as "shanakhti," or identity, passes) which entitled them to assistance but did not provide legal protection. These were cancelled under the assisted repatriation programme of the early

^{23 &}quot;Focus on Returnees from Iran," IRIN News Release, 2 October 2000, quoted in Human Rights Watch, 2002a, p. 15.

²⁴ UNHCR 1999, p. 5.

²⁵ USCR, 2001a, p. 21; 2001b, p. 177.

²⁶ USCR, 2001a, p. 25.

²⁷ It should be noted that, given Pakistan's longstanding support for the Taliban, it had a strategic interest in representing those who left Afghanistan after the Taliban takeover as escaping from drought and hunger, rather than from human rights violations and generalised violence.

1990s and ceased to provide entitlement to food rations after 1995. During the 1990s, most Afghan refugees in Pakistan were neither registered nor issued with identity documents. They were, however, given exemption from the provisions of the 1946 Foreigners' Act and the 1951 Foreigners' Order, according to which all foreigners not in possession of a passport or valid visa are considered illegal immigrants. They were also allowed to move about the country freely in order to seek employment. Thus, in a letter dated 25 July 1997 from the Secretary of Kashmir Affairs and Northern Areas and States and Frontier Regions Division, to the Secretary of the Ministry of the Interior, the status of Afghan refugees in Pakistan was described as follows.

"During the temporary stay of the Afghan Refugees in Pakistan all laws applicable to the local citizens shall apply to the Afghan Refugees. However, as the Government of Pakistan has provided refuge to the Afghan refugees on humanitarian grounds, the provisions of the Foreigners Registration Act and other such rules pertaining to foreigners residing in Pakistan do not apply to the Afghan refugees.

All along their stay, the Afghan Refugees have never been confined to the camps. The above is also necessitated by the fact that almost all the food and other assistance previously provided by the international agencies, has been discontinued w.e.f. October 1995. The Afghan Refugees have, therefore, to earn their livelihood outside the camps in Pakistan to support themselves as well as their families. The movement/presence of Afghan refugees outside the refugee camps is, therefore, legitimate."

From 1 January 2000, however, new arrivals from Afghanistan were no longer recognised as *prima facie* refugees and therefore could no longer claim exemption from the Foreigners' Act. In November 2000, Pakistan officially closed its border with Afghanistan, on the grounds that it was unable to absorb the influx of refugees that had begun in September, following the Taliban assault on Taloqan. This influx was expected to be followed by thousands more as winter set in and as the

effects of the drought on food supply became more severe. This was a largely symbolic step, since it is practically impossible to prevent people from crossing the border by unofficial routes and/or by bribing the border guards. But it sent out a clear message, both to would-be refugees and to the international community, that Pakistan's "open door" policy towards Afghan refugees was at an end.

Many of those arriving in the NWFP during the last few months of 2000 went to a makeshift camp, known as "New Jalozai," on the edge of the existing Jalozai camp east of Peshawar. Here, they constructed rudimentary tents out of bits of cloth and plastic, which left them exposed to extremes of heat and cold. UNHCR started registering and transferring the new arrivals to another camp, further from Peshawar, known as "New Shamshatoo" but as fast as it did so, New Jalozai filled up with more refugees, not all of them necessarily new arrivals. In January 2001, public orders were issued in NWFP, empowering police to detain and deport newly arrived Afghans and, at the end of the month, the government told UNHCR to stop the registration process at New Jalozai, on the grounds that the new arrivals were "economic migrants," fleeing the effects of drought. Because they could not be registered, they did not benefit from the distribution of food and non-food items, and they were therefore dependent on charitable handouts.

The impasse continued until August 2001 when, prompted partly by reports in the international media of an appalling humanitarian crisis in Jalozai, and partly by pressure from local landowners to evict the refugees, the government came to an agreement with UNHCR to start a screening process to distinguish "genuine" refugees (based on the "extended" refugee definition, which includes those fleeing generalised violence) from "economic migrants." Those screened out would be subject to deportation, but would have the option of assisted repatriation, while those screened in would be relocated to other camps. The screening started in mid-August, but was halted in response to the 11 September terrorist attacks on New York and Washington. This attack, and the US bombing campaign that followed it, catapulted Afghanistan into the centre of world attention, a position it had last occupied during the Soviet occupation of the 1980s. The subsequent fall of the Taliban government and the establishment of the AIA by the Bonn Agreement

of 5 December 2001 led, in turn, to the largest and most rapid return movement of Afghan refugees ever, and the largest UNHCR assisted repatriation programme in almost 30 years.

3. Repatriation 2002: How Many Returned and Why?



In January 2002, UNHCR issued a draft planning document for the "Return and Reintegration of Afghan Refugees and Internally Displaced People" over a three-year period, in which it estimated that there were 2.2 million Afghan refugees then living in Pakistan and 1.5 million in Iran. ²⁸ It was envisaged that, during the course of 2002 and with the assistance of UNHCR, 400,000 refugees would return from Pakistan, and that the same number would return from Iran. Approximately the same numbers were expected to return in 2003 and 2004. ²⁹

How many did return?

Assisted repatriation began from Pakistan on 1 March and from Iran on 6 April. By the end of August, the number of returnees from Pakistan³⁰ had already exceeded the planning figure by more than 300 percent and the repatriation operation was judged "an overwhelming success."³¹ On 6 October, the office of the UNHCR's Chief of Mission in Kabul announced that 1.5 million had been assisted to return from Pakistan, and 222,000 from Iran. The total number of assisted cross-

Each of these estimates was soon revised upwards by around a million. In a document issued in August 2002, UNHCR's Islamabad office estimated, in line with GoP figures, that there were 3.5 million Afghans living in Pakistan in March of that year, before the start of the 2002 assisted repatriation programme (UNHCR, 2002a). UNHCR's Kabul office also later agreed a figure of 2.3 million Afghans living in Iran, based on a registration exercised conducted in 2001 by BAFIA.

²⁹ UNHCR, 2002b, p. 4.

³⁰ It should be noted that only 15 percent of these came from the so-called "old camps" or refugee villages. The great majority, therefore (more than 80 percent), came from the cities and urban areas of Pakistan.

³¹ UNHCR, 2002c, p. 1.

border returnees (including nearly 10,000 from Tajikistan) was 1.7 million. If we add the 300,000 or so who are estimated to have returned from both countries between November 2001 and March 2002, without UNHCR assistance, we arrive at a grand total of 2 million, or roughly twice the 900,000 who are said to have returned in 1992, the previous peak year of return.

Compared with recent assisted repatriation exercises elsewhere in the world, the figures for Afghan refugees are truly impressive. Two of UNHCR's largest repatriation exercises during the 1990's were in Cambodia and Mozambique. In 1992 and 1993, 360,000 to 370,000 Cambodians returned home over a period of 12 months, mostly from camps on the Thai-Cambodian border, in an operation that was described at the time as "one of the largest and most complex operations ever undertaken by UNHCR. "32 In the largest repatriation exercise ever organised in Africa, 1.7m Mozambicans returned from six neighbouring countries over a period of four years (1992-96). The relatively smooth return of so many people to Afghanistan in just over six months in 2002, is a tribute to the professionalism and dedicated hard work, under very difficult conditions, of hundreds of UNHCR and NGO staff, both national and international.

And yet, "overwhelming success," as it certainly was from the point of view of numbers and logistics, it could be argued that this judgement was as premature as the return movement itself. For the refugees were returning to a country where there was, effectively, no functioning state; where the worst drought in 150 years ³³ was entering its fourth year and showing no signs of abating over large areas of the country; where there was continuing military activity by Coalition forces and between rival local power holders; where ethnic violence (particularly directed against Pashtuns in areas of northern Afghanistan dominated by Uzbeks and Tajiks), had contributed to the internal displacement of hundreds of

thousands of people; where institutions of law and order were either non-existent or highly rudimentary; and where the provision of basic services, such as drinking water, health and education was, to say the least, rudimentary and seriously under-resourced. Before we can judge the success of the repatriation operation, therefore, as anything more than a logistical triumph, it needs to be explained why so many people returned, over such a short period, to a country beset by so many fundamental problems.

While the figures quoted above for the number of assisted returns are an accurate reflection of the number of people who have received repatriation assistance, they are not an accurate reflection of the number who have repatriated. This is mainly because of the so-called "recycling problem." Recyclers register their intentions to repatriate at a Voluntary Repatriation Centre (VRC)³⁴ in the country of asylum, cross the border into Afghanistan to collect their cash grants and package of food and non-food items, return by an alternative route to the country of asylum - and then begin the process all over again.

For those returning from Pakistan, the cash grant, which was intended to cover transport costs, was originally set at US \$100 per family (US \$20 per individual family member, with a ceiling of five members per family). 35 This made recycling particularly profitable for those in NWFP and Balochistan, where most Afghan refugees are concentrated, who had to travel relatively short distances to pick up their cash grants and assistance packages in Jalalabad, Kabul or Kandahar. According to one calculation, a family of five making the return trip from Islamabad to Jalalabad or Kabul could make a profit of Rs. 3360 (approximately US \$56) per trip, which is about what a daily labourer in Pakistan can earn in a month.³⁶ In Quetta we were told of a man

³² Eastmond and Ojendal, 1999, p. 38.

³³ One indicator of this is that, in the south, even 200 year-old mulberry trees had died because of the drought.

³⁴ At the VRC, the returnee is issued with a Voluntary Repatriation Form (VRF) which is used to claim the cash grant and assistance package of food and non-food items in the country of origin. In Pakistan, refugees hire commercial vehicles, at their own expense, and often pay the drivers on receipt of the cash grant at the "encashment centre" in Afghanistan.

³⁵ This figure was later changed to a variable amount, ranging from US\$ 10-30 per person, depending on the distance traveled, and with or without a five-person limit per family. This was both to reduce expenditure (given the larger than expected number of people returning) and to reduce the incentives for recycling.

³⁶ Wasif, nd., p. 7.

who had made the trip to Kandahar 18 times and of a woman who had raised Rs. 80,000 (about US \$1,330) by this means to pay for her daughter's marriage. On visits to a number of schools in refugee camps around Quetta, we also heard that it had become a regular practice for children to take time out of school in order to earn money by acting as the family members of a recycler or simply to make up an "artificial" family for a "genuine" returnee.

"Dealing with the problem...is not easy, for there is no sure way of identifying a recycler. An average caseworker who fills in 50 forms a day, six days a week cannot possibly remember all the faces he has seen. He has little to go on but his instincts and memory. And a recycler will often send different family members - a husband, a wife, and a son - to the VRC each time, thereby making recognition even more difficult. Every now and then, of course, a caseworker will spot someone he knows he has seen before, but for the greater part, the matter is one of suspicion and uncertainty."³⁷

The difficulty was compounded by the unexpectedly large numbers of people passing thought the VRCs and encashment centres during the peak months of the return. 38 For example, at the Mohmandara encashment centre, near Jalalabad, more than 58,000 families were processed during March, April and May - an average of more than 600 families, or 3000 individuals, per day. The staff were under great pressure during these months to work quickly, so that the returnees, especially children, did not have to stand for long periods in the sun. It was therefore impossible to engage in time-consuming verification procedures. Once the extent of recycling was realised however, six verification teams were in operation at Mohmandara, each with three members, one from UNHCR, one from the Ministry of Repatriation of the ATA and one from an NGO implementing partner. Verification guidelines issued to the teams by UNHCR's Jalalabad office attempted to introduce some objectivity into what was essentially a subjective exercise of identifying "artificial" families and ascertaining the "genuine" nature of an individual's intention to return. The guidelines included instructions to separate out family members for questioning and then to check the consistency of their replies and to ask families to identify their luggage on the trucks so that it could be checked against the "luggage cards" filled out by staff at the Takhta Baig VRC near Peshawar in Pakistan. Inevitably, the methods used were not only largely subjective, but also highly labour intensive and, presumably, expensive.

By the end of August, 67,375 families (around 400,000 individuals)³⁹ applying for repatriation assistance at VRCs in Pakistan had been rejected. This represents about 20 percent of the total. 40 Not all of these would have been rejected as recyclers, but the following observation from UNHCR's Pakistan office suggests that many of them probably were, "During week 25 of the voluntary repatriation (i.e. 16-22 August), [VCRs in] NWFP turned away 2,317 families, the vast majority identified as "recyclers" (i.e., individuals who have registered for voluntary return more than once). 141 If only half of those rejected up to the end of August had "registered more than once" (and assuming no more than twice!), then at least 200,000 people need to be deducted from the total of returnees. In September, as the number of returnees from Pakistan started to drop significantly with the approach of winter, rejection rates exceeded 40 and sometimes 50 percent in VRCs in NWFP, Balochistan and Karachi. We do not know whether this resulted from a proportional increase in recyclers, or from the fact that the verification procedures had become more effective. In any event, it seems reasonable that many more recyclers slipped through the verification net at least twice during the early,

³⁷ Wasif, nd., p.3.

³⁸ The highest monthly figures for assisted returnees from Pakistan were for May, when more than 400,000 people are reported to have made the journey (UNHCR 2002e, p. 1).

³⁹ This assumes an average family size of six, which may be an underestimate. Average family size is sometimes assumed to be even less, namely five, but this may be an artifact of the "ceiling" of five members per family that was initially used to calculate the repatriation grant. While this rule was in operation, it seems that the great majority of families presenting themselves at VRCs had five members.

⁴⁰ This does not include the apparently much smaller numbers that were rejected at encashment centres inside Afghanistan. Only 513 out of 79,000 families (or around 3000 out of 40,000 individuals) were rejected between 1 March and 11 September at the Mohmandara encashment centre near Jalalabad.

 $^{^{41}\,}$ UNHCR, 2002f, emphasis added.

hectic months of the repatriation than were identified at VRCs.

It is even more difficult to know the number of those who entered the repatriation programme with the intention of re-establishing themselves in Afghanistan (and who should not, therefore, be considered "recyclers"), but who found conditions so difficult in their home areas that they returned to Pakistan before the winter. First. it is impossible to monitor such a flow, since those involved would seek to return by uncommon routes to avoid problems with border guards; second, they would be unlikely to declare themselves to aid workers for fear of being labelled "recyclers;" and third, those who wished to return to a refugee village in Pakistan might have to do so surreptitiously. 42 Anecdotal evidence suggests that there must have been such a "backflow," or "reverse-flow,"43 but it is impossible to know its true extent.

We should also note that the traditional "repatriation season," between April and October, coincides with the annual migration of Afghans from Pakistan to find seasonal employment, especially in the eastern and central Afghan provinces of Nangarhar and Kabul respectively. It happens that these two provinces alone accounted for 60 percent, (more than 800,000 individuals), of all those reported to have repatriated from Pakistan between March and August 2002. 44 It seems highly likely, therefore, that this number included seasonal migrants taking



⁴² At a camp near Peshawar, run by the Ittihad-I-Islami Party of Abdul Rasoul Sayyaf , we were told that the camp leader had agreed with the government that those who took the repatriation package would not be allowed to return to the camp. One family we came across denied that they had come back, even though the children of neighbours declared that they had.

44 UNHCR, 2002a, pp. 19 and 25.

⁴³ We were told by one NGO local staff member at the Puli Charki Distribution Centre near Kabul on 10 September that as many as 400 families per day were being smuggled into Pakistan through remote border passes, although it was not possible to know how many of these had earlier returned to Afghanistan under the assisted repatriation programme.

advantage of the assisted repatriation package, but with no intention of staying in Afghanistan beyond the summer.

In Iran, the official figure for assisted returns from March to early October 2002 was significantly less than that of Pakistan. One reason could be that the figure for Iran was not (or was very little) inflated by recyclers. 45 Recycling appears to have been much less prevalent among returnees from Iran than from Pakistan. This could have been partly because of the relatively greater distances travelled by returnees from Iran and partly because the Iranian border is, in general, more heavily policed than the Pakistani border. But it could also have been because of the way the assistance package was organised for returnees from Iran and, in particular, because of the relatively small size of the cash grant they received. Travel in Iran to the Afghan border was organised by the government and paid for by UNHCR. Once arrived in Afghanistan, returnees were provided with free transport (initially by the International Organisation for Migration (IOM)) to the capital city of their home province, where they received a cash grant of US \$10 per person, which was intended to cover at least part of the cost of onward transportation. Families (but not single men, who constituted a much higher proportion of returnees from Iran than from Pakistan) were provided with a "family return package" of food and non food items, including (for a family of 4-8 members) 150 kg. of wheat. This was reduced to 100 kg. on 1 July. The cash grant was also cut at this time, and free transport to the capital of the province of origin was replaced by a cash contribution towards the cost of private transport, which varied depending on the distance to be travelled. Considering that most returnees from Iran had to travel long distances on both sides of the border (from Tehran to Kabul, for example) it is clear that the assistance package, and particularly the cash grant, provided little incentive for the would-be recycler.

A third factor that could have discouraged recycling from Iran is that it normally took a month to obtain a voluntary repatriation form (VRF), which had to be applied for in the refugee's area of residence. This contrasted with the

practice in Pakistan, where a family could turn up at a VRC, in a vehicle already packed with its belongings, ready to set off for Afghanistan, and obtain a VRF literally there and then.

We can say with certainty, then, that considerably fewer than 1.5 million people returned to Afghanistan from Pakistan between March and August 2002, though we have no way of knowing by how much this figure is overstated. It seems safe to assume that it should be reduced by at least 200,000. But it would not be far-fetched to suggest that it should be reduced by as much as half a million. When faced with this degree of uncertainty, it is perhaps not surprising that international organisations and governments should continue to accept repatriation figures based on the number of people who have received assistance, particularly if there are advantages to be gained from showing that high numbers have returned. While there is no easy way of accurately quantifying those who repatriated, those who received assistance to repatriate can be quantified accurately and with ease, and the results can be presented in exhaustive detail. The trouble is that the resulting tables, graphs and pie charts are only loosely related to the world as it really is.

There is something paradoxical, then, about the role of cash grants in assisted repatriation - a role which, as far as we know, has been developed uniquely in repatriation programmes for Afghan refugees since the early 1990s. The paradox is that while the cash grants system provides the most straightforward and efficient means of counting returnees that has yet been devised, the resulting figures are not an accurate record of those who have actually repatriated. The same was true of the "encashment" programme of the early 1990s.

Though UNHCR attests that by 1993, nearly half (274,000) of the "revalidated" 600,000 ration books had been encashed, 46 there was no demonstrable relationship between encashment and repatriation. According to the UNHCR evaluation report quoted earlier, UNHCR's view,

 $^{^{45}}$ Other factors that could help to explain the difference are mentioned below. 46 It was never expected that all the revalidated ration books would be encashed, partly because of funding constraints. (UNHCR, 1994, p. 2)



in early 1994, was that "over two-thirds of those encashing have so far returned." However, the report also notes that "some Pakistan government officials place the figure at less than one-third, arguing that.... instead of facilitating repatriation, encashment has instead promoted clandestine local settlement" - mainly to urban areas, 48 The problem this reveals is not so much that different parties could give hugely different estimates of the number of returnees, but that there was simply no way of judging between them:

"Despite a highly sophisticated electronic monitoring system, it has not proved possible to link observed border crossings with specific encashment events...Indeed, some would argue that there is a much closer correlation between rehabilitation [in areas of origin] and return than between encashment and return." 49

The distribution of the cash grant to returnees once they had crossed the border into Afghanistan, which began in the late 1990s, was clearly designed to avoid this problem, which one UNHCR staff member described as the "take the money and run" syndrome. Equally, clearly, however, this new way of distributing the cash grant has given rise to a new problem, which might be described as the "take the money and run back" syndrome. UNHCR's response to this has not been to reconsider the appropriateness of using cash grants as part of its assisted repatriation programme, but to put its faith in new technology. In October 2002 it reported the successful testing of "Iris Recognition Technology" at the Takhta Baig VRC near Peshawar, which it predicted would have the effect of "ultimately eliminating recyclers."50 This move has obviously been motivated by the best intentions, notably that of

⁴⁷ UNHCR, 1994.

⁴⁸ Op. cit, p.14.

⁹ Ibid.

UNHCR 2002g, p. 2. Developed by BioID Technologies of Riyadh, Saudi Arabia, and Iridian Technologies of New Jersey, USA, this is a system for converting a photographic image of the iris into a digital code, which is unique to every individual. It has been used to assist in border control at airports

enabling staff to "concentrate on persons of concern, and devote more time to assisting vulnerable individuals."51 But it also raises the uncomfortable thought that this is another manifestation of an ideology of control and surveillance, which has become institutionalised in the humanitarian assistance regime and which challenges "beneficiaries" to find ever more ingenious ways of evading its reach. 52 "Iris Recognition Technology" is undoubtedly a big advance, technically, on marking refugees with gentian violet, a technique that has been recommended for use in refugee camps to prevent refugees claiming double rations.⁵³ But one is left with the nagging suspicion that human ingenuity will ultimately find a way of defeating even this most sophisticated means of mass surveillance. As one Ugandan refugee, living in a camp in Sudan, told Harrell-Bond, "To be a refugee means to learn to lie."54

Our reason for telling this cautionary tale about numbers is absolutely not to make the trivial point that money was "wasted" on refugees who did not repatriate. Nor is it only to call into question the wisdom of providing returnees with cash grants to organise their own transport. Our purpose is to highlight a much more fundamental issue, which we explore further in Part 4, about the concept of "facilitated" repatriation to situations that are manifestly unsuitable for mass return. The next step in this argument is to identify the factors that led people to return to Afghanistan in 2002.

Why did they return?

Notwithstanding the uncertainty about exactly how many Afghans returned over the summer of 2002, the number was undeniably very large.

Given the equally undeniable fact that conditions in Afghanistan were far from conducive to a large-scale return movement, this requires some explanation. Because of the limited nature of our investigation, we can only attempt to answer this question in the broadest terms, using anecdotal evidence from interviews and "informed guesswork," based on a general knowledge of other cases. The conclusions we come to in this section, therefore, amount to no more than a hypothesis and would therefore need to be investigated by systematic empirical research before they could be confirmed or disconfirmed.

Such research would have to take into account. first, the extreme heterogeneity of the Afghan refugee population in Pakistan and Iran, it being made up of people who left Afghanistan at different times over the past 23 years, for different reasons, from different ethnic groups and from different socio-economic backgrounds, ranging from the educated urban elite to the rural poor. 55 Second, it would have to take into account differences in age and gender, and recognise that some individuals will have more say than others in decision making. Third, it would have to see refugees as rational decision makers, balancing several different factors against each other. But fourth, it would also have to recognise that, in attempting to explain the decision to move or not to move, the relevant unit of analysis may not be the individual, or even the family, but a whole group of families. This is especially likely in the "old camps" in Pakistan, where group leaders still appear to exercise considerable influence, ⁵⁶ but it may also apply to groups of families living together in urban areas.

In what follows, we consider four possible factors that may help to explain why so many Afghans

⁵¹ Loc. cit.

⁵² Harrell-Bond, Voutira and Leopold, 1992; Voutira and Harrell-Bond, 1995; Telford, 1997. This thought is hardly dispelled by the following comment in a document issued by UNHCR's Kabul office on 8 August 2002: "The cash grant system will be maintained [in 2003], in order to keep control of the return movement and to facilitate monitoring" (UNHCR 2002h, p.5). When one UNHCR staff member, furthermore, was asked what would be the effect of discontinuing the cash grant system in 2003, the immediate reply was, "How else will we know how many have gone back?" For a useful account of the purposes for which UNHCR needs accurate statistics, see Crisp (1999), who also discusses the difficulties the organisation faces in collecting them, as well as the "politics of refugee numbers."

⁵³ Mitchell and Slim, 1990.

⁵⁴ Voutira and Harrell-Bond, 1995, p. 216.

The tendency to treat refugee populations as a "homogeneous mass" has long been lamented in the refugee studies literature, but the continuing widespread use of "hydraulic" metaphors to describe "mass" movements of people - "flow," "backflow," "wave," "stream," "trickle" - means that a special intellectual effort has to be made *not* to think of them in this way. For an illuminating discussion of the role of metaphor in the language of everyday speech, and its effects on the way we think about the world, see the classic study of George Lakoff and Mark Johnson, *The Metaphors We Live By* (1980).

⁵⁶ At one camp, near Quetta, for example, which had been established in 1988 by Pashtuns from Jawzjan Province in northwestern Afghanistan, we were told that the four thousand families living in the camp would return, if and when the leader decided it was time to go.



repatriated during 2002, to such a generally unsatisfactory situation in Afghanistan.

1) A longing for home?

On the face of it, this is the simplest and perhaps the most appealing explanation - the refugees were tired of living in exile and just wanted to go home. What, it might be asked, could be a more "natural" and desirable end to the "refugee cycle" than this - to which one can only answer, "Ask the refugees."

All the refugees we spoke to in Pakistan were adamant that they wanted, and intended, to return to Afghanistan, but the strength of their insistence tended to be inversely correlated with the likelihood of their doing so. A man in a refugee camp near Quetta, who had spent half an hour spelling out the reasons (mainly to do with lack of security and employment opportunities) why he would not be returning to Afghanistan in the foreseeable future, added that, if he were to

receive information that afternoon that even half the problems he had mentioned had been dealt with, he would leave for Afghanistan the next morning. A wealthy carpet trader in Quetta said that he would go back the same afternoon, and take his money with him, were it not for the poor security situation in Afghanistan. These refugees answered the question "do you want to return?" in the same way that they might have answered the question "do you want to go to heaven?" - yes, but not yet.

As these examples illustrate, a nostalgic longing for home plays a part in all refugee returns, but the significance of this factor for most people must be outweighed by the results of more hardheaded calculations. Refugees, of all people, cannot afford to be starry-eyed romantics. Furthermore, the idealised image of return, which underpins the notion that voluntary repatriation is the most desirable "durable solution" to the global refugee problem, is at variance with the reality of exile - especially prolonged exile. The

⁵⁷ Black and Koser, 1999.

passage of time is a crucial factor, for it changes both the refugee and the country of origin.⁵⁸ Most of those who fled to Pakistan following the Soviet invasion, for example, were from entirely rural and often very traditional backgrounds. After 15 or 20-odd years in Pakistan, where they were not able to pursue an agricultural way of life, they have become used to urban conditions and occupations. They have taken on new attitudes and new expectations for themselves and their children. It was entirely predictable, therefore, that very few of the long-standing camp-based refugee population in Pakistan would return to Afghanistan during the current assisted repatriation programme. 59 Their notion of "home" had been transformed by their experience of exile.

Recent studies of migrant and refugee communities have emphasised how complex and multifaceted the notion of home may be, how it may have more than one local referent and how the original "home" may become a place of nostalgia, a land of dreams, among other, more practical homes. Mark Graham and Shaharam Khosravi have shown, for example, that for Iranian refugees living in Stockholm, Sweden is "home" in the sense of a place that offers welfare and educational opportunities - a place to bring up children. The United States (and especially Los Angeles) is "home" in the sense of a place to engage in entrepreneurial and business activities 60 and Iran is "home" as a place of memories and roots - and for holidays. A study of the idea of home among Afghan refugees in Pakistan and Iran would no doubt reveal that it had a similarly varied range of meanings.

In view of the still rudimentary development of a centralised state in Afghanistan, it is also worth noting that the idea of home as a politicoterritorial unit, a home-land, is a product of the relatively recent triumph of the idea of the nationstate as the principle of political organisation in the modern world. This idea has taught us to think of the individual's social identity as territorially based and of sedentariness - being

fixed in one place - as a natural feature of the human condition. It was the near exhaustive division of the world into nation states during the last century that made it the "century of the refugee" - by making it possible to treat "home" as synonymous with "state." This, in turn, meant that people could leave their "homes," in the sense of local communities in which they had lived for most or all of their lives, in order to return "home" to a state in which they had never, or hardly ever, lived.

2) An offer they couldn't refuse?

For those returning from Pakistan, the level of assistance was initially set as follows.

- A cash grant to cover transport costs of US \$20 per person, for a maximum of five people per family
- 150 kg. of wheat (expected to feed a family for three months).
- 2 plastic sheets
- 2 jerry cans/water buckets
- 1 kerosene lantern
- 5 bars of soap per family per month for three months.
- Hygienic cloth (women's sanitary material).
- 1 mat (as regionally appropriate)
- 1 shelter tool kit or 1 agricultural tool kit.

When it became clear that the number of returnees would greatly exceed the planning figure, budget constraints, which affected both UNHCR and WFP, made it necessary to reduce not only the cash grant but also the food and nonfood items. As noted earlier, the standard cash grant was changed to a variable amount, of between US \$10 and US \$30, depending on the distance travelled. Refugees travelling from Karachi to Kabul, for example, would receive US \$30, while those travelling from Islamabad or

⁵⁸ Zetter, 1988.

Zetter, 1988.

Between March and August 2002, only 15 percent of assisted returnees from NWFP, and six percent from Balochistan, were from the "old camps." The figures for "new camps" were three percent and 16 percent respectively (UNHCR, 2002a, pp. 15-16). New camps are those which were set up in late 2001, mainly to accommodate people displaced by ethnic conflict, drought and the Coalition bombing campaign, and who were eligible to receive food rations and other assistance. An Iranian businessman, interviewed for the *New York Times* by Michael Lewis, is quoted as saying that, although he had lived in Sweden, Spain and England since leaving Iran, "until he reached California, he never really felt at home." (Lewis, 2002)

^{2002).}

Peshawar to Kabul would receive US \$20. Those travelling the much shorter distance from Islamabad or Peshawar to Jalalabad would receive US \$10.61 On a visit to Puli Charki Distribution Centre, east of Kabul, on 10 September, we found that, apart from the cash grant of US \$20 per person, returnee families were receiving a reduced package of 50 kg. of wheat, 62 l kg. (four bars) of soap, two plastic sheets and two metres of "hygienic cloth."

It is likely that, for many returnees from Pakistan - the poorest and those with the longest distances to travel - the availability of this assistance, and especially the cash to cover transport costs, was a decisive factor in their decision to return. It is also likely that the availability of free transport to the Iran-Afghanistan border (and, initially, beyond) was particularly important for those returning from Iran, many of whom had to travel long distances. But the important question here is not whether the assistance enabled some refugees to return who would not otherwise have done so (which it certainly did), but whether a significant number of them (apart from recyclers!) returned in order to obtain it, which they almost certainly did not. This distinction lies at the heart of the UNHCR's policy of "facilitated repatriation," which applies to its current assisted return programme for Afghan refugees. According to this policy, the

organisation makes itself available to assist refugees who wish to return to their country of origin, even though conditions there are such that it is not prepared to encourage or "promote" return. In other words, the idea is to make it easier for people to do what they have already decided is in their own best interest.

The distinction between "facilitated" and "promoted" return is a difficult one, and we shall return to it. Here we wish to make only two points. First, given the value of the cash grant and assistance package, it seems very unlikely that it would have persuaded people to return if they had not already been intent on doing so. And second, from the point of view of UNHCR, supporting refugee decision making was exactly how a "facilitated" - rather than "promoted" return programme should work. The same assessment was made about the role of "encashment" in returnee decision making in UNHCR's evaluation of it repatriation programme in the early 1990s"

"In a decision-making equation, where conditions in the country of origin are pitted against those in the country of asylum, encashment can be seen as playing only a relatively minor role.....Paradoxically, the minimal role played by encashment in such decisions may also be seen as one of its most

> significant strengths, as supporting refugee choices and facilitating rather than promoting repatriation. "63

> But even if we accept "The minimal role played by encashment" in the decision to return, the matter does not end there. For we have to consider not only the material significance of the cash grant and assistance package as an incentive to return, but also its symbolic significance, the latter not being a simple function of the former. It seems likely that the assistance provided could have had a symbolic



⁶¹ This, of course, gave those who were actually returning to Jalalabad an incentive to describe Kabul as their destination on the VRF. There was evidence that some were taking advantage of this opportunity, traveling first to Puli Charki Distribution Centre near Kabul, to collect the grant and assistance package, and then returning to Jalalabad. The returnees were told that they could come back a month later to collect another 50 kg.
 UNHCR, 1994, p.14.



significance for returnee decision-making that was out of all proportion to the material difference it made to their lives. ⁶⁴ For it surely sent out a powerful message that, in the opinion of the UN and of the international community generally, now was the time to go "home." ⁶⁵ This, we believe, was its chief significance as a factor in explaining the scale and speed of the return movement. But it was only one message - even if a particularly eloquent one - among many others.

3) Great expectations?

These other messages were about huge amounts of aid that would soon be flooding into Afghanistan following the Bonn and Tokyo meetings, about international organisations descending in force on Kabul, and about the exciting task of reconstruction that lay ahead in an Afghanistan

where peace and security would be assured by an international military presence. They came from Kabul, Islamabad, Tehran, Bonn, Tokyo, Washington, London and Brussels and were relayed, notably, by the BBC's Pashto and Dari services and by the Iranian and Pakistani newspapers, television and radio.

Media coverage and government statements in both Iran and Pakistan led refugees to believe that they would receive generous assistance from the UN, not only to cover the cost of return, but also to rebuild their communities once they reached their home areas. It might reasonably be pointed out that previous experience especially following the withdrawal of the Soviet Union from Afghanistan at the end of the 1980s and the subsequent loss of interest in the fate of Afghanistan by Western states - should have taught Afghans not to be impressed by promises of assistance from the international community. Equally reasonably, however, there were clear grounds for thinking that this time it would be different:

- The international community had put its money where its mouth was, by pledging US \$4.5 billion for the reconstruction of Afghanistan and by establishing ISAF in Kabul;
- a new Afghan government in Kabul led by the widely respected Hamid Karzai, was making international appeals, with the support of the UN, for all Afghan refugees to return home:⁶⁶
- King Zahir Shah, a powerful symbol of happier times, had returned to Kabul.

On a visit to the Shomali plains, north of Kabul, which was devastated as a result of the "scorched earth" strategy of the Taliban in its war against the "Northern Alliance," we met many returnees who complained bitterly about the lack of assistance they had received, including housing, irrigation and, especially, employment. One man

Afghanistan Research and Evaluation Unit (AREU)

⁶⁴ The distinction between the cash grant and the package of food and non-food items is not relevant to this point.

⁶⁵ Many may have felt — as it turned out, quite justifiably — that if they didn't avail themselves of the assistance sooner rather than later, it might be reduced in value.

On 28 April the BBC reported that President Karzai had made a worldwide call, on its "Talking Point" programme, for Afghan exiles to return home and help in their country's reconstruction. He was reported as saying that those who had left during the years of conflict and had been living in camps in Pakistan and Iran, as well as professionals who had sought sanctuary in the West, would be welcomed back. Women in particular should not be afraid to return - there would be jobs for them, and also education for girls.

A woman from Mazar-i-Sharif, interviewed near Herat

"We were in Iran for 20 years. There are six of us in the family. We are happy that Afghanistan is becoming safer. We hated being refugees. If we die it is better to die in our country. We had [identity] cards so we had no problem with the government. They used to come to our house once or twice a year to check that we had documentation or for vaccinations. All the children went to school. Those who had cards could go to school. My husband was too old to work, so our son used to work as a labourer.

"The main reason we decided to leave is because of the assistance provided by the UN. The employment situation was not a consideration, nor was the attitude of the authorities. It was, however, difficult that we were always being called names. The children didn't feel able to go outside. We couldn't complain to the government. We always had to queue for bread and sometimes while I was queuing I would be told, 'You are Afghan, go to the end of the line.' They would say, 'If you are not satisfied, go back to your country.' There was a lot of abuse on a daily basis.

"We also expect the UN will help with accommodation. We have nowhere to live. UNHCR in Tehran gave my husband four papers and told him to contact UNHCR in Mazar-i-Sherif. We don't know what assistance we will get. My husband has relatives in Mazar but they are waiting for us to help them. He doesn't expect that we will be able to stay with them. They have their own children."

said he would return to Pakistan before the winter if he could find the necessary money to cover transport and to pay the Pakistani border guards. ⁶⁷ When asked why he had returned in the first place, given that he must have had a good idea of the devastation in Shomali, he replied, "Because the whole world was telling us that we were going back to reconstruct our country." Like many others we spoke to, here and elsewhere in Afghanistan, he felt that the international community had taken him for a ride, in more ways than one.

It is important to note that this was not a case of refugees lacking information about conditions in their home areas, but of having misplaced hopes and expectations about the level of assistance - in the shape of material resources

and economic opportunities - that would be available to help them once they returned. The distinction is important in view of the emphasis that is rightly placed by UNHCR on refugees having accurate information about the conditions to be expected in the country of origin to enable them to make an "informed decisions" about return. In this case, it seems that the most important information needed was not provided - namely a realistic assessment of the timescale within which reconstruction assistance could be expected to impact the living conditions and livelihood strategies of people at the local level. Such an assessment, coming from an authoritative source such as the UNHCR, might have deterred this man from returning. Even if it did not, it would have meant that his decision to return was better informed.

Bitterly expressed disappointment at the level of help being provided for reconstruction in Afghanistan became a mantra that was repeated everywhere we went - by refugees and returnees, by Afghan and Pakistani government officials and by UN and NGO staff. It has been so widely commented on that there is no need to labour the point here. We shall, however, return to the subject in the next section.

4) Pressure from countries of asylum?

As we wrote earlier, in the section on "asylum fatigue," the governments of both Iran and Pakistan have become increasingly impatient with the continuing presence of large numbers of Afghan refugees in their countries. This has shown itself in various changes in government policy and may have persuaded Afghans in Pakistan and Iran that it was time to return.

In our interviews with returnees from Iran, a commonly expressed sentiment was that it was better to die in Afghanistan than remain a foreigner in a country of exile, a sentiment that could only have been reinforced by a growing climate of hostility towards Afghans among the Iranian public. The presence of up to three million Afghan refugees has led to accusations that Afghans are competing for jobs and for education,

⁶⁷ For one person to travel by lorry from Kabul to the border crossing at Torkham, on the road to Peshawar, costs the equivalent of between US \$2 and US \$5. A taxi, carrying five passengers, costs the equivalent of about US \$7 per person. Crossing the border without a passport involves paying a variable amount to the border police, depending on one's negotiating skills and how well one speaks Pashto. Those who do not speak Pashto and come from the northern region of Afghanistan normally pay more. No one is likely to pay more than US \$20.

health and other services. The willingness of Afghans to work as migrant labourers, or in menial occupations such as construction work, waste clearance, brick making and agricultural labour (such as weeding and pistachio cleaning) for much lower wages than Iranians has antagonised the Iranian labour force. At the same time, it has encouraged industrial and construction entrepreneurs to engage Afghan labour. This encouragement has allowed Afghans to enter the country illegally.

Illegal migrants are particularly vulnerable. Police frequently check documentation in the street, by knocking on doors or by entering work places. Once caught, they are often taken to one of a number of detention centres, where conditions are reported to be severe: overcrowding, poor food and constrained access to toilets. From detention centres, they are taken in large groups to the border for deportation.⁶⁸

It is not clear whether there is a degree of collusion between entrepreneurs and the authorities in permitting a controlled flow of illegal migrant labour to enter the country on the basis that a return flow can be engendered through deportation when the demand for labour reduces or public hostility toward Afghans increases.

Those with documentation are not normally at risk of deportation but are subject to daily taunts and insulting language from the public who regard them as the source of many of the country's ills, including criminal activity (see box on p. 30).

Afghans in Iran have also experienced increasing problems in gaining access to employment, education and health. A regulation issued on 22 June 2001 by the Ministry of Labour and Social Affairs made employers of foreign illegal workers subject to heavy fines and imprisonment.

Employers who benefit from low-wage Afghan labour try to evade detection, but the authorities conduct periodic sweeps to look for illegal labour. Such sweeps have, temporarily at least,

discouraged the employment of Afghans. Although documented refugees are entitled to send their children to school, some schools denied access to Afghan children.

More explicit pressure came during the summer of 2002 when the Iranian government issued a public announcement that all undocumented Afghans should leave the country by 11 August. This seems to have had some effect: the monthly figure for assisted returns from Iran doubled in August to 62,000, while the number of spontaneous (i.e. unassisted) returns also doubled to 19,000.69

In Pakistan, the government's attitude towards Afghan refugees was further hardened by the influx of refugees immediately following the 11 September attacks and a general fear of retaliation. An estimated 200,000 Afghans entered Pakistan during the last months of 2001, in response not only to the Coalition bombing but also to the ethnically based targeting of Pashtuns in the north and the impact of drought on food supply, particularly in the south. Described by the government as "externally displaced" rather than as refugees, these new arrivals were located in "new" camps, close to the border, in the Tribal Areas of NWFP and near the Chaman border crossing in Balochistan. Efforts were made to keep their numbers to a minimum, by "sealing" the highly porous border against all but the most vulnerable cases, a policy that was encouraged by the United States for reasons to do with its military action against the Taliban and Al Qaeda. 70

In February 2002, as the assisted repatriation programme was about to be launched, the Pakistan government refused to allow any more registrations in the Chaman area, which left approximately 60,000 people stranded in what became known as "the waiting area," astride the border between Chaman, in Pakistan and Spin Boldak in Afghanistan. In August 2002, UNHCR, responding to pressure from the ATA and the Government of Pakistan, as well as to the very poor humanitarian conditions in the waiting area, began a process of relocating this group to a new

⁶⁸ Since April 2002, 113 unaccompanied adult women and 218 unaccompanied children have been deported from Iran to Afghanistan.

The US government is said to have donated five Hewey helicopters and US \$75 million in order to assist the government of Pakistan to strengthen its border control measures with the aim of keeping out suspected terrorists and clamping down on the drugs and arms trade.

camp inside Afghanistan. Known as Zahre Dasht, or "Yellow Desert," this camp, located 40 km. to the west of Kandahar in an isolated and inhospitable area designed to house 12,000 families, or 60,000 individuals. By 1 October, however, only 7,140 individuals had been registered there.

One of the reasons for this poor response was probably due to the almost complete lack of employment opportunities in the vicinity of Zhare Dasht. 72 Families who relocated would therefore be entirely dependent on food aid.

An unaccompanied woman, interviewed at a camp near Herat

"I was living in Qom with my husband. We lived in a group of four buildings, two lived in by Iranians and two by Afghans. One day, when my husband was out working, a policeman came and asked if we had documents. I said that we didn't. The policemen came into the house and searched it. He then left, but came back later with two other policemen and said that they were deporting me. They took me on a bus to Tehran and then to Mashhad. They then put me on a bus with some other ladies and we came to the Afghan border. I asked the police about my husband and they said that they would deport him as well and that I would meet him. But I have been here for 19 days and have had no news of him.

"By chance, a few days ago, I saw some of my relatives passing through the camp and they said that they would take me with them to Darae Souf near Mazar-i-Sherif, where we used to live. But the Ministry of Repatriation here said that I could not go with them, even though there were ladies in the group. They would have to give a message to my father to come and collect me. But my father does not have the money to make the journey. Everything we had in our home area has been destroyed, so I know that my father does not have enough money to come here."

Meanwhile, refugees living in camps around Peshawar - e.g. Nasir Bagh, Jalozai and Kacha Garhi - had been under pressure to move for some time, largely because the land they occupied was wanted by the government for urban development. The residents of Nasir Bagh, one of the oldest refugee camps in Pakistan, were served with eviction orders in April 2001, giving them until 30 July to leave. By September 2002 all the residents of Jalozai camp had received verbal notice to leave by March 2003 and around 400 families had already repatriated. Meanwhile eviction orders for Kacha Garhi residents had been signed, with the same deadline, and a section of the camp had been bulldozed to make way for a road development.

Given the option of either taking advantage of the assisted repatriation programme or going to a new camp in the Tribal Areas of NWFP where there were few if any employment opportunities, most opted for repatriation. Others took the option of "clandestine resettlement" and moved to Peshawar.

Since most of those returning to Afghanistan in 2002 were non-camp based refugees from the urban areas, it is perhaps more relevant to note the possible impact on return of low level police harassment on the streets of the major cities. All reports suggest that this has been on the increase, although the most extreme examples have been in response to particular security- related events, such as the killing of two policemen in Rawalpindi on 8 May, 2002, after which 600 Afghans were arrested and imprisoned. A more routine procedure is for Afghans to be picked up, "fined" and threatened with imprisonment and/or deportation. One NGO reported, on 3 September that "...according to refugees in [Islamabad] every time there is an incident, such as an explosion or theft, the authorities automatically blame refugees... Even in instances where Afghans have been able to produce valid identification documents, passports or visas, the police were not deterred from arresting them."

Once it became clear that the repatriation programme was having its greatest impact on refugees in the urban areas, the government adopted a more relaxed attitude, backing away from an earlier announcement that all refugees

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VINHCR, 2002i, p. 2. By mid-November 2002, an additional 11,000 internally displaced individuals had been relocated to Zhare Dasht, not from the "waiting area" but from camps at Spin Boldak, and from Kandahar city.

The only income generating activity available in the camp at the time of our visit (10 October, 2002) was road building, being undertaken by a local NGO in conjunction with UNHCR. This gave work to about 60 men per week on a rotational basis.



must leave the Islamabad/Rawalpindi area by 31 August 2002, 73 and the level of police harassment reduced. 74 UNHCR estimated that, by the end of September, more than 134,000 individuals had repatriated from Islamabad/Rawalpindi leaving, according to the government, a population of about 30,000 Afghans in the area. Almost 50 percent of the largest refugee settlement in Islamabad, was demolished by the Capital Development Authority to ensure that those who had left did not return.

Our conclusion, then, is that there are three main factors to take into account when explaining why so many Afghans repatriated so quickly in 2002:

- the assistance package itself (though we need to distinguish between the material and the symbolic effect of this);
- 2) great, but misplaced, expectations about the level and early impact of international assistance; and
- 3) pressure from host societies.

It is unlikely that any one of these factors would have resulted in such a huge surge of interest in repatriation. What was important was that they came together. However, if we had to select one factor as the most significant, it would be the second.

We do not believe that the great majority of people who repatriated did so solely because of the level of public abuse or police harassment they experienced, whether in Iran or Pakistan. This is not to deny that such abuse was a major factor in many people's lives, nor that it could have been, for some, the key factor accounting for their return (not least for those who were deported!). But the evidence from our interviews suggests that, for most people, it was not enough to persuade them to repatriate, provided they were managing fairly well in the country

of asylum. Indeed, we would expect that many of those who have been deported from Iran this year will find there way back into the country in due course.

We also assume that refugee decision-making is determined by a rational calculation of costs and benefits, and not by a nostalgic longing for home, Given that conditions in Afghanistan were, and still are, very uncertain, both economically and politically, the most rational course of action for those who were surviving relatively well in the country of asylum would have been to "wait and see" before making the decision to repatriate.

It was those who were having most difficulty surviving in the country of asylum that would have been most likely to put their trust in the "encouraging messages" they were receiving from the international community and "vote with their feet" for repatriation. The importance of these messages in accounting for the mass repatriation that took place in 2002 is underlined by the following comments, taken from the UNHCR's evaluation of its "encashment" programme in the early 1990s,

"Analysts generally characterize refugee decision-making as rational, with security and economic survival being the two principal

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 $^{^{73}}$ One government official in Islamabad told us that the government wanted to make the city a "refugee free area." 74 According to the NGO report of 3/9/02 just mentioned, arrests of Afghans in Islamabad under the Foreigners' Act totaled 520 in June but only 20 "during the last few weeks."

concerns of potential returnees. It may therefore be assumed that it is only when conditions in the country of asylum become untenable that a refugee would opt to return to a fundamentally unsatisfactory situation in the country of origin. "75

This hypothesis helps to explain why the overwhelming majority of the returnees were from the urban areas of Pakistan, where they had been surviving on low and erratic incomes from daily labour. If the average living conditions for Afghans in Iran are significantly better than for those living in the urban areas of Pakistan, it might also help to explain why the number of returns from Iran was so much lower than from Pakistan, 76

We end this section by reiterating the question it has addressed, "Why did so many go back to a manifestly unsatisfactory situation?" This question obviously doesn't arise for those amongst the returnees who were able to take advantage of new economic opportunities in Afghanistan,

especially in Kabul, and especially if they had houses and land. Some who were working for the UN or NGOs in Pakistan would have found it necessary to return in order to secure their jobs. Panjshiris and Tajiks who fled because of the Taliban takeover may well have been encouraged to return in the hope of securing jobs and patronage from the new ruling elite. (On the other hand, most Panjshiris, who would have been the principal beneficiaries of patronage. had remained in Afghanistan, while the Tajik population in Pakistan was relatively small.) Based on figures for Afghan arrivals in Europe, which show a very marked increase from 1998, we believe that most middle class Kabulis who left Afghanistan because of the Taliban takeover went to the West. We also know that Afghan professionals in the UK are extremely reluctant to return to Afghanistan at present, because of security concerns. 77 We may reasonably extrapolate from this that Afghan professionals in Pakistan will feel the same, as long as conditions in Pakistan remain conducive to a settled existence.

⁷⁵ UNHCR, 1994, p. 14.

 77 At the time of writing, only two people have taken up the offer of a cash grant from the UK Government to return to

Afghanistan.

⁷⁶ It is difficult to know whether this assumption is justified. On the one hand, Afghans in Pakistan have a greater choice of work than in Iran - they are not confined to designated, menial occupations and are free to engage in business without having to work through a national of the country for registration purposes. On the other hand, the overall standard of living is higher in Iran, and health and education facilities are much better. It is also easier for women to work, albeit for very low wages. Another relevant factor might be that Afghans in Iran generally come from agriculturally relatively poor areas of Afghanistan, while Nangarhar, a very important destination for those returning from Pakistan, is one of the country's most fertile areas. It has also always been an area of high cross-border labour migration, along with the other eastern provinces of Paktia, Paktika and Kunar (which are now insecure because of Coalition military activity).

4. "Post-Conflict" Reconstruction: A Familiar Story



Afghanistan today is an example of what Robert Jackson has called a "quasi-state" - a state which, although recognised as such by the international system of states, does not have the effective power and institutional authority to protect the rights, and provide for the social and economic welfare of it citizens. 78 It also illustrates the frequently made point that the term "postconflict," when used in relation to such a state, more often expresses an aspiration than it describes a fact. It is understandable, but also paradoxical, that the return of refugees should have become a standard item on the "reconstruction" agenda of "post-conflict" societies, along with a peace agreement between the warring parties, an undertaking to hold elections, the deployment of an interim international security force and the construction of multi-ethnic national institutions. 79 What makes it understandable is

that large-scale repatriation is seen as way of boosting the legitimacy of a fledgling state apparatus, struggling to exert its authority in a situation where power is still openly contested, and of providing human resources for development. What makes it paradoxical is that such states are, almost by definition, unable to provide the kind of stability and security, the lack of which induced their citizens to become refugees in the first place.

It was this paradox which led the UNHCR to embrace the concept of "facilitated" (as opposed to "promoted") repatriation and to see itself as responsible, not just for the repatriation of refugees but also for assisting with their "reintegration." As UNHCR became increasingly involved, after the end of the Cold War, in organising mass return movements to "post-

⁷⁸ For a useful discussion of the concept of "quasi-statehood" see Clapham, 1996, pp. 15-24.

⁷⁹ Petrin, 2002, p. 3.

conflict" states (such as, apart from Afghanistan, Bosnia, Cambodia Rwanda and Mozambique), so it became increasingly preoccupied with how to close the so-called "relief-development gap," thereby making the return movement "sustainable."80 The problem is a common one to most "post conflict" situations: how to ensure a "smooth transition" from the emergency aid needed to sustain individual human lives over the short term, to the development aid needed to provide the social and economic infrastructures without which human communities cannot sustain themselves over the long term. The particular difficulty for UNHCR is that, while it has become very effective in helping refugees to repatriate (as the assisted return to Afghanistan in 2002 has amply demonstrated), it has neither the mandate nor the resources to undertake the developmental activities needed to ensure the "sustainability" of the return. During the 1990s, UNHCR has tried two approaches to "bridge the gap" between relief and development in returnee areas.

One approach was to invest in what came to be known as "quick impact projects" (QIPs), following their first large-scale use in Nicaragua in the early 1990s. QIPs were small, community-based projects, such as the rehabilitation of a clinic or school, the repair of a bridge, the renovation of an irrigation system or the sinking of a borehole. The success of QIPs was mixed, mainly because the projects themselves frequently did not prove sustainable and therefore did not "act as an effective bridge to rehabilitation and development."81

The other approach was to look for ways of improving institutional collaboration between UNHCR and the UN agencies that have development mandates - notably the World Bank and UNDP. 82 But this also proved problematic, because of the length of time it takes for development interventions to "catch up" with emergency interventions - the former being channelled through the state, usually with conditions attached, and the latter being

channelled through non-state organisations, and usually without conditions. The problem is compounded in "quasi-states," where the government institutions through which development aid must be channelled are, at best, weak and ineffective. The mass return of refugees to Afghanistan in 2002 has become the latest version of this story.

The result is that the UNHCR has frequently found itself in a position which an experienced aid official we interviewed described as "alone on the dance floor," unable to forge timely and effective partnerships with development organisations to ensure the successful "reintegration" of refugees.

UNHCR "alone on the dance floor"

UNHCR's initial "return and reintegration" planning document referred to earlier states that,

"Over the next three to five years, UNHCR and its partners will plan and implement programmes that anchor returnees and enable their durable reintegration into their homes and communities...In the first phase, just after the actual physical return, returnees will have needs that are mostly humanitarian (shelter, water food). UNHCR stands ready to coordinate the provision of these basic needs to returnees on the understanding that it depends on close cooperation with partners to ensure that needs are met... In addition to the primary role that UNHCR will play with respect to initial reintegration support, it will be necessary to build and broaden early linkages with other actors....in some instances possibly programming with other agencies to ensure wider coverage of returnee areas."83

"Initial reintegration support" was to focus on:

- Shelter repair given to all returnees in need (calculated at 40 percent);
- Seeds and tools given to all returnees in need (calculated at 60 percent); and

⁸⁰ A return movement is judged "sustainable" if, having returned to (ideally) his or her home area, the returnee does not need to become displaced again, either within or outside the country of origin.

⁸¹ Crisp, 2002, p. 183.

⁸² This approach was explored in what became known and the "Brookings Process," after a roundtable meeting, held at the Brookings Institution in Washington DC in 1999, to discuss the gap between emergency and development aid. The meeting was sponsored by the UNHCR and the World Bank, who together proposed the establishment of a designated US \$100 million fund to help with "post-conflict" reintegration and development. The proposal was rejected by donors.

⁸³ UNHCR, 2002b, p. 19.

 Water provided to all returnee communities (based on assessments).⁸⁴

These (as it turned out) ambitious plans had to be scaled down drastically because the planning figure for total refugee returns in 2002 (850,000) was so far exceeded in practice. This meant that "initial assistance" had to be limited to rural housing and water and that housing assistance (in the form of a "shelter pack" of roof beams, window frames and doors) could be provided only for the most vulnerable returnees. This was not only the result of a shortage of funds. One contributing factor, felt more in some areas than in others, was the difficulty of finding suitable NGO implementing partners. The reintegration budget for UNHCR's Jalalabad sub-office, for example, was based on a planning figure of 200,000 returnees for the entire eastern region. By September, however, 300,000 had come back to Nangarhar province alone, and it was only possible to provide shelter assistance for 12 percent of them. This figure could have been increased within the initial budget allocation if it had been possible to identify more NGOs willing to work in the area and with the necessary managerial and accounting capacity.85

We are not aware of what proportion of UNHCR's US \$271 million⁸⁶ budget for Afghanistan in 2001-2002 was initially allocated to reintegration activities nor, therefore, to what extent funds initially earmarked for reintegration had to be re-allocated to repatriation. We assume this must have occurred, however, since no new money appears to have been provided by donors to take account of the larger-than-anticipated number of assisted returns. ⁸⁷

To bridge the relief to development "gap," it was also envisaged that UNHCR would play a supporting role with other organisations in the health, education and agricultural sectors, and that it would support "labour-intensive infrastructure

QIPs to create skills training and microcredit programmes for vulnerable returnees."88 As far as we can tell, this component of the proposed reintegration assistance programme also had to be dropped, not only, one assumes, because of lack of funding, but also because of implementation difficulties, given that the return was so much larger and more rapid than expected. It was the second phase of the reintegration process - the effort to "build and broaden early linkages" with development organisations such as the World Bank and UNDP - that was preoccupying UNHCR in September 2002, as the end of the "repatriation season" approached and serious worries began to be expressed about the "sustainability" of the return movement. In early August it had reported that this second phase

"....still ongoing, though it has not been devoid of difficulties, particularly in dealing with more 'macro' actors such as UNDP and the World Bank, whose operational pace is inevitably different from that of UNHCR and is slower than the pace of repatriation.⁸⁹

The extent of the problem had become clear at a meeting of the Afghan Support Group (ASG) of 15 donor nations, held in Geneva on 15 July, after which it was reported that, "it was unlikely that funding for any major reconstruction projects in Afghanistan such as road building, irrigation or electricity plants will reach the country until April 2003." ⁹⁰

The problem, in other words, was how to ensure not only that returnees received sufficient help with immediate survival needs (water, food and housing), but also that there were sufficient employment opportunities and basic services (such as irrigation, health and education) available to provide a "smooth transition" to development. The need was all the more urgent because of the

⁸⁴ UNHCR, 2002b, p. 17.

⁸⁵ Another factor contributing to the relatively low number of returnees receiving shelter assistance in Nangarhar, a province with a high population density and a relatively large proportion of landless families, was the difficulty of meeting the stipulation that such assistance could only be provided to returnees who had land on which to build.

⁸⁶ The annual breakdown was roughly US \$40 million from October to December 2001 and US \$231 million for 2002. These figures included some repatriation costs in Pakistan and Iran. In October 2002, the budget was still US \$20 million short of the target.

⁸⁷ We were told, however, by several sources in Pakistan, that UNHCR had found it necessary to reallocate funds for repatriation from its assistance budget for camp-based refugees in Pakistan.

⁸⁸ Loc. cit

⁸⁹ UNHCR, 2002h, p. 3

⁹⁰ Rashid, 2002.

continuing drought, the worst in 150 years, which was also affecting neighbouring areas of Pakistan and Iran, and because of a general lack of physical security over large parts of the country.

The drought initially had the greatest impact in the areas dependent on rain-fed wheat, in northwestern and central Afghanistan as well as in the northeast. In a detailed report on food insecurity, based on field work carried out between January and April 2002 in the north, central, southern and western regions of the country, Sue Lautze and others paint an alarming picture. 91 They describe a "national nutritional crisis"92 and "a profound national disaster of food insecurity that defies short-term or one-off solutions."93 As the drought progressed, water tables throughout the country had fallen in response to the decline in snowmelt. Thus, even when the spring rains of 2002 proved to be reasonably adequate and the rain-fed areas recovered quickly, the deserts in

the south of the country failed to bloom and the population had to balance the need for potable water against agricultural requirements.

Even in the rain-fed areas in the west, however there has been a slow expansion in its economy. There was, in September 2002, no sign of a boom. People were still relying on remittances from relatives working in Iran to bring in the necessary cash income to supplement food production. Even Herat, which had been able to maintain its trading economy, could not supply the demand for employment coming from its hinterland. Mazari-Sharif, similarly, is not yet attracting many returning refugees from Iran, in spite of the recovery of cross-border trade with Uzbekistan after it re-opened its border following the collapse of the Taliban. The picture is similar for other cities apart from Kabul, which provides the only real source of income, other than the illegal economy, for those unable to survive in their



⁹¹ Lautze et al., 2002.

⁹² Ibid, p. 41. 93 Ibid, p. 50.

home areas. The recent growth of economic activity in Kabul, however, has been heavily dependent on the influx of international agencies and diplomatic missions, which may not be sustained.

Furthermore, it is still only in Kabul that ISAF94 has been deployed, despite calls from President Karzai, the Secretary-General of the United Nations, the UN's Special Representative on Human Rights and virtually the entire international assistance community for its extension to the major urban centres. 95 A recent illustration of why there is such unanimity about the need to expand ISAF comes in a report issued on 5 November, 2002 by Human Rights Watch, focusing on western Afghanistan and Herat. The report documents "a pattern of widespread political intimidation, arrests, beatings and torture by security forces under the command of the local ruler," and "an almost complete denial of the rights to freedom of expression and association in Herat."96

"In most parts of the country, security and local governance has been entrusted to regional military commanders - warlords - many of whom have human rights records rivalling the worst commanders under the Taliban... American military forces have maintained relationships with local warlords that undercut efforts by US diplomats and aid agencies to strengthen central authority and the rule of law... Afghanistan remains a fractured, undemocratic collection of 'fiefdoms' in which warlords are free to intimidate, extort, and repress local populations, while almost completely denying basic freedoms." 97

In view of all this, it is not surprising that initial euphoria about the large numbers of returnees showing their faith in the future of the new Afghanistan should have been transformed into anxiety about the pace of return and even to a deliberate attempt to slow it down by, for

example, reducing the "opening hours" of VCRs in Pakistan. This anxiety was fed by the fear that a significant number of people who had been assisted to repatriate over the summer might find it difficult to survive in their home areas. They might therefore decide to return to the country of asylum before the winter, or become internally displaced within Afghanistan. A significant "backflow" into neighbouring countries could lead the governments of Pakistan and Iran to take tougher measures against Afghans whom they considered illegal migrants. It could also send out a politically unwelcome message about the economic and security situation in Afghanistan, resulting in donor criticism of UNHCR for having presided over a premature repatriation.

It is difficult to imagine, however, that such a "backflow" would have had seriously adverse effects on those who took part in it, or on the pace of reconstruction in Afghanistan. On the contrary, it could be seen as part of a normal process of labour migration, a kind of safety valve, easing pressure on infrastructure, jobs and basic services in Afghanistan. Paradoxically, then, the feared cross-border "backflow" might actually contribute to the "sustainability" of return (not least through the sending of remittances) for those returnees who were not part of it. As we shall argue later in this paper, "sustainability" should not be equated with immobility.

Significant internal displacement was a more substantial worry, because of its implications both for the displaced themselves and for the general reconstruction effort. There are estimated to be about 1 million internally displaced in Afghanistan today, living in camps and makeshift settlements and needing (although not necessarily having access to) emergency assistance to satisfy their basic needs. In the drought-stricken south there are estimated to be at least half a million internally displaced, including Pashtuns from the north escaping from ethnically motivated aggression, and nomadic Kuchi who have lost most of their livestock. 98 When visiting Kandahar, in

97 Human Rights Watch, 2002b, p. 4.

⁹⁴ Set up under the terms of a Security Council Resolution in December 2001, ISAF is a multinational force made up of around 5000 troops, contributed (and paid for) mainly by NATO members and currently under the command of Turkey.

⁹⁵ It is estimated that this would require an increase of around 20,000 in the size of the force.

⁹⁶ Human Rights Watch, 2002b, p. 4.

⁹⁸ de Weijer, F. (2002) Pastoralist Vulnerability Study, AFSU/VAM Unit, World Food Programme, Kabul. In her study of the livelihood strategies of the southern Kuchi, Frauke de Weijer estimates that there are some 85,000 Kuchi households living in the provinces of Ghazni, Zabul, Paktika, Uruzgan, Helmand, Nimroz, Kandahar and Ghor, of whom 50 to 70 percent have lost all their livestock.

the first few days of October 2002, we found that UNHCR and various NGOs were doing their best to reach and assist these groups, who are scattered all over the southern region, around villages and towns and in IDP camps such as Spin Boldak and Zhare Dasht. Since there was no overall strategy or coordinating structure for dealing with the problem, UNHCR was having to fill this vacuum as the "default" agency for any large-scale emergency involving population displacement. One of its main difficulties was that local authorities and local people, who were also suffering from the severe drought, were not ready to welcome the establishment of large settlements of displaced and destitute people near their own towns and villages. 99

The situation of the internally displaced highlights a more general worry about such a large return movement having occurred at such a stage in the "post-conflict" transition. There is already serious concern that the US \$4.5 billion (over five years, with US \$1.8 billion available in the first year), which was pledged by the international donor community at the Tokyo Ministerial Meeting in January 2002, is much less than the minimum realistically needed for the reconstruction of Afghanistan:

"If Afghanistan were to receive the average of aid spending levels per capita from four other recent post-conflict settings [Rwanda, Bosnia, Kosovo and East Timor]... it would receive US \$6 billion in 2002 and US \$30 billion over five years. 100

But it is even more worrying that,

"...emergency needs in 2002 have soaked up much of this year's disbursements...Three key factors increased emergency needs: 1) instead of the 800,000 returnees projected in Tokyo last January, two million are expected to return this year; 2) a fourth year of drought continues to choke the recovery of the

agricultural sector in the centre and south of the country; and 3) ongoing insecurity is stifling the reconstruction effort.¹⁰¹

If this assessment is correct, the return of so many Afghans from neighbouring countries has helped to hijack the development agenda by putting even more pressure on an already fragile infrastructure and adding to the number of people in need of life-saving emergency assistance. It has, in other words, been counter-productive to the aim of a sustainable return. Meanwhile, the UNHCR finds itself "alone on the dance floor," urging its apparently reluctant development partners to get to their feet; the government of Afghanistan complains that it is having to use its precious reconstruction funds simply to keep its citizens alive; the donors complain that the UNHCR is over-reaching itself by trying to get involved in development activities when it should be concentrating on its 'core protection mandate;' and the returnees complain that they have been encouraged by promises of assistance to return to a situation in which they are worse off than in the country of asylum. What went wrong?

One way of answering this question is to focus on "inter-agency cooperation" and "strategic coordination." To define the problem in this way is not unreasonable, especially given the "proliferation and complexity" of aid coordination arrangements that have been developed for Afghanistan since the Bonn Agreement. 102 But there are at least two reasons for thinking that this approach does not go to the heart of the matter. First, the problems that have arisen with refugee return and reintegration and "post-conflict" reconstruction in Afghanistan in 2002 were entirely predictable and should therefore have taken no one by surprise. It is quite uncanny, when reading what has been written on this subject over the past ten years, to realise how much of it could have been written, mutatis mutandis, about the situation in Afghanistan today. 103 This makes it difficult to see the problem simply as a failure of cooperation and organisational learning.

¹⁰³ For discussions of this literature, see Macrae (1999), Chimni (1999) and Crisp (2002).

⁹⁹ This is why it was found necessary to relocate people from the "waiting area" at the Chaman border crossing to the isolated camp at Zhare Dasht, west of Kandahar, rather than to smaller settlements close to existing villages.

¹⁰⁰ CARE International, 2002, p. 2.

¹⁰² Stockton, 2002. Anyone wishing to appreciate the complexity of the maze is advised to consult The A to Z Guide to Afghanistan Assistance (Afghanistan Research and Evaluation Unit, 2002).

Second, focusing on better "coordination" as a solution to the problem of refugee reintegration is understandable but too easy. It gives the comforting impression, to those who face the daily frustrations of trying to meet urgent humanitarian needs with only limited resources that practical steps (convening a workshop, writing a position paper or designing a new mechanism for "inter-agency cooperation") can be taken to solve a problem which is actually beyond their reach.

Finally, to define the problem as, mainly, one of "aid management" is conveniently to ignore the external political and economic factors that both create the conditions that lead to refugee flows in the first place, and constrain the activities of aid organisations in responding to them. As we have sought to emphasise throughout this paper, Afghanistan's "post-conflict" reconstruction cannot be properly understood without taking into account the strategic political objectives of regional and powerful donor states.

In the next section, therefore, we shall attempt to place the Afghan case in the wider context of changes in the refugee policy objectives of Northern states or the evolution of thinking about "durable solutions" to the global "refugee problem."

Voluntary repatriation as a "durable solution"

The last 23 years, during which refugees have been moving back and forth across the borders of Afghanistan, span a period of great change in the policies adopted by the international community for the control and management of refugee flows. The principal change was marked roughly by the end of the Cold War. For most of the previous 20 years, the international refugee regime had focused on asylum and local integration as the principal solution for most of the world's refugees. During the 1990s, the focus changed from asylum to containment and from local integration to repatriation.

The 1951 Convention Relating to the Status of Refugees was a supremely political instrument, a powerful weapon in the Cold War armoury of the Western powers. During the 1950s, Eastern Bloc citizens defecting to the West were not only a welcome addition to the labour force at a time of economic growth, but their countries of origin



could be castigated as violators of the human rights of their citizens. During these years, therefore, the preferred "durable solution" to the refugee "problem" was resettlement in countries of immigration, such as the United States, Canada and Australia. But from the 1960s, most of the world's refugees were located in the developing world and had moved *en masse* to escape the turmoil associated with independence struggles. Although resettlement was still used as a political weapon, ¹⁰⁴ the preferred solutions to the refugee problem now became integration in the country of first asylum and - something never considered relevant for refugees leaving the Eastern Bloc - voluntary repatriation.

During the 1980s, the worldwide population of refugees more than doubled, from more than eight million to more than 17 million, not least because of the huge exodus from Afghanistan following the Soviet invasion. It was now commonplace to talk of the "refugee crisis." But with the collapse of the Soviet Union and the end of the Cold War, there were no longer significant political gains to be made by Western countries, either by admitting refugees to their own territories or by providing assistance to refugee-hosting countries in the developing world. Not only was assistance drastically reduced for Afghan refugees in Pakistan, but also the focus of the entire international refugee regime shifted from asylum and local integration to containment and voluntary repatriation. The main assumptions lying behind this change of focus were that displaced people do not necessarily have to leave their own countries to find protection, that it is reasonable to "encourage" or require refugees to return to their countries of origin as soon as "objective conditions" there are judged suitable by the host country. In addition, this new regime maintained that international assistance should be used to help avert new population flows and to assist with the return and reintegration of those who have already left. The then-UN High Commissioner for Refugees, Sadako Ogata, declared that the 1990s would be "the decade of repatriation," a prediction that was borne out by events. From 1990 to 1996, 11 million refugees repatriated,

compared with only 1.2 million during the previous five years. 105

It is therefore mainly by the prevention and containment of refugee flows that the international community - in effect, the rich Northern states - now attempts to deal with the global refugee "crisis." The other side of this coin is the reluctance of these same states to share the burden of refugee assistance with those developing world states which continue to host the huge majority of the world's refugees. They have shown their reluctance in at least three ways:

- First, they have reduced their contributions to refugee assistance in these countries, as in Afghanistan during the early 1990s.
- Second, they have introduced increasingly restrictive asylum regimes to defend their own borders against "bogus asylum seekers," as in the construction of "Fortress Europe."
- Third, they have taken ever more determined steps to return refugees to their countries of origin when conditions there allow in their, rather than the refugee's judgement. When faced with this example of unadorned political and economic self-interest, it is not surprising, as Chimni argues, that refugee hosting countries in the developing world should have drawn the obvious conclusion: if the rich countries are not prepared to take a significant share of the burden, then the refugees must go "home."

"The pressure from host states is increasing; they are most often extremely poor countries and are confronted with a situation in which Northern states are unwilling to actualise the principle of burden sharing. The absence of burden sharing is manifested...both at the level of asylum and at the level of resources. The regimes which the Northern states have constructed to prevent refugees from reaching their shores, and the unseemly hurry to return refugees... has taken away their moral authority to protest at

¹⁰⁴ All but 925 of the 233,436 refugees who were admitted to the United States between 1956 and 1968 were from communist countries. (Loescher, 1993, p. 59).

¹⁰⁵ Crisp, 2002, p. 177.

involuntary repatriation when this takes place in the South. 106

Who benefits?

Whose interests, then, have been served by the return of Afghan refugees in such large numbers during 2002?

- For the major institutional actors, it was good news all round — in the short term, at least. For the Afghan government, still struggling to establish its legitimacy and to exercise some authority over rival local power holders, it could be presented as a massive vote of confidence by "ordinary" Afghans.
- For the US and its allies in Operation Enduring Freedom, it could be seen as a retrospective justification and legitimisation of the bombing campaign and of the overthrow of the Taliban.
- For the governments of Pakistan and Iran, the return of such large numbers of Afghans was, in their eyes and in the eyes of many of their citizens, excellent news, for both economic and security reasons, especially given the absence of significant burden sharing by Northern states.
- For the governments of non-neighbouring asylum countries, it made it easier to adopt a popular hard line on the "voluntary return" of Afghans from their own territories. 107
- For UNHCR, the organisational and logistical success of the operation emphatically demonstrated its "relevance" to the international community and showed that it had learned the lessons of Kosovo, when it was criticised for being too slow off the mark.

As for the "official" beneficiaries, the refugees, the picture is by no means as clear. One reason for this is the extreme heterogeneity of their

circumstances and of the subsistence resources available to them in the areas to which they have returned. 108 The poorest of the returnees clearly benefited from free or subsidised transport while some of those without houses to return to benefited from shelter assistance. Some will have had access to sufficient land to ensure basic subsistence, though most will probably have had to supplement their income through daily labouring or trading - if they were lucky enough to find such opportunities. Some will have had land on the valley floor which is relatively fertile while others would have had to scrape a living on the adjoining hillside. Those living at the source of a river would have been able to survive better than those living further downstream. Some would have had an abundance of drinking water, others, living in areas where many existing pumps are above the water table, would have had to find the money to buy their water from the owners of tube wells. We must also consider the possible negative impact of the return on the survival prospects of the receiving communities, many members of which were probably more vulnerable than the returnees themselves. There is very little evidence to go on here, though recent FAO field assessments indicate that, even in the relatively fertile Nangarhar province, some villagers are expressing concern about the effect of the returnee influx on their own survival strategies. We have already noted that drought-affected communities in the south have been unwilling to allow settlements for the internally displaced to be established near their villages.

A second reason why it is difficult to say much about the impact of the repatriation on the lives of returnees is that there is simply not enough information to go on. As far as we could discover, the monitoring of returnee areas by UNHCR's protection staff, for which it has produced detailed guidelines, did not get off the ground until relatively late in the return operation. It is difficult to make hard and fast statements about this, because the returnee monitoring reports are not made public, nor, again as far as we know, are

¹⁰⁶ Chimni, 1999, p. 11.

At the end of November 2002, European Union justice ministers, meeting in Brussels, agreed that 15,00 Afghans per month would be helped to return, beginning in April 2003. The Danish representative, Bertel Haarder, is reported to have said that "forced return could never be ruled out." (EU Observer, 29/11/2002).

Many, of course, benefited from the repatriation programme without returning, such as the woman in Quetta who used recycling profits to pay for her daughter's wedding and a man we met in a refugee camp in Balochistan who (like many others we assume) owned a truck which he was hiring to returnees.

they shared with other agencies. A UNHCR evaluation report written in May 2002 suggests that returnee monitoring may have been yet another casualty of the larger- than-expected scale of the return, and the consequent pressure on funding and human resources: "In western Afghanistan, a focus on the logistics of repatriation has led to a neglect of regular and systematic returnee monitoring." 109 There were indications from our own study that the same may have been true for other areas of Afghanistan. On 12 September we were told by the UNHCR's Jalalabad sub-office, which covers an area with the highest density of returnees apart from Kabul, that monitoring had taken longer than expected to get underway, partly because of the need to train national staff. At that stage, "between eight and 12" reports had been completed. At the Kandahar sub-office, on 2 October, we were told that monitoring had started the previous week, and that two monitoring teams had been formed.

Generalisations, then, about the consequences of the repatriation for the returnees will inevitably gloss over a huge amount of diversity. But if our hypothesis about the causes of the return is correct (that the key factor was misplaced expectations based on "encouraging messages" coming from the various institutional actors), then there must have been a large number of returnees who found themselves in a worse situation after their return than before. The International Rescue Committee's (IRC) Peshawar office, which has also been monitoring areas of return, reported on 13 September 2002 that

"Limited resources, poor access, and unreliable security conditions have impeded the systematic monitoring of the conditions of return.... In locations where monitoring has occurred, a persistent gap has been noted between the conditions and assistance expected by returning families and what they have found upon return. As a consequence, an increasing number of reports have been received of disillusioned returnees leaving home again and seeking protection, economic opportunities, and assistance in other areas of Afghanistan and in NWFP, Pakistan." 110

If we add to this another of our hypotheses - that the return movement has, because of its scale and speed, helped to divert even more of the limited funds available for reconstruction and development into emergency assistance - then it becomes necessary to ask, "Could it have been otherwise?" By which we mean, would it have been desirable, effective and politically feasible for the UNHCR to have positively discouraged a mass return of refugees from returning to Afghanistan until the political and economic reconstruction of the country was further advanced? This would have meant putting the assisted repatriation programme on hold for at least a year and sending out a strong warning to refugees, based on its experience of earlier return and reintegration programmes, about the length of time it was likely to take for the reconstruction process to start showing results.

Facilitated v. promoted return

Before considering these points, a word is in order about the seemingly innocuous distinction between "facilitated" and "promoted" return. This is clearly a product of the UNHCR's increasingly proactive role in assisting refugees to return, en masse, to "post-conflict" situations, which it does not regard as generally safe or satisfactory enough for "promoted" return. The validity of the distinction rests upon two assumptions: first that many refugees wish to return to their country of origin, even though they continue to be affected by conflict (which is incontrovertible) and, second, that it is UNHCR's responsibility to help them to do so (which is debatable). The concept of "facilitated" return is necessary in order to allow the UNHCR to exercise this supposed responsibility, without appearing to induce, encourage or "promote" return to fundamentally unsatisfactory situations.

While the distinction is logical enough in a linguistic or formal sense, it is very difficult to make in practice. After several conversations on this subject with various UNHCR staff, it became difficult not to conclude that the distinction is entirely semantic and that its purpose is not so much to discriminate between two empirically

¹⁰⁹ UNHCR, 2002d, p. 2.

¹¹⁰ IRC, 2002, p. 2.

different situations but to create a formal difference where none exists in practice. 111 If so, then the language of "facilitated return" is used to allow the international community to exert pressure (in the form of "encouraging messages") on refugees to return, while appearing to stand by internationally agreed standards of voluntary repatriation. Maintaining the voluntary nature of return is, of course, UNHCR's "bottom line." But the distinction between "facilitated" and "promoted" return appears to have given UNHCR a way of re-drawing the line, under pressure from host states, while giving the impression - to itself as well as others - that it is defending this bottom line. It is not surprising, then, that UNHCR itself should sometimes seem confused about whether it is "facilitating" or "promoting" return.

"The repatriation operation in Pakistan [in the early 1990s] has suffered from a lack of clarity in its objectives. While presented by UNHCR as a facilitated repatriation operation, success has nevertheless been linked to and been perceived in terms of the maintenance of high numbers."112

The same comment could have been made about the 2002 repatriation programme. Until it became clear that the scale and speed of the return was threatening its "sustainability" (when the key term became "gradualism"), there was a clear tendency, at least in UNHCR's public pronouncements, to see the success of the operation as a matter of large numbers.

Why, then, would it have been desirable for UNHCR to have delayed the start of its assisted repatriation programme, by at least one year, and warned potential returnees that it would take at least that time for the reconstruction process to have an observable impact? The potential benefits of such a policy, for both refugees and for the pace of reconstruction in Afghanistan, might have included the following.

- 1. Fewer people would have returned because of unrealistic expectations, or in other words, more people would have gone back having made an informed decision.
- With fewer overall returns, there would have been less pressure on scarce resources in Afghanistan during the crucial, early period of transition and reconstruction, and therefore less call on humanitarian assistance to provide the basic necessities of life.
- More time, effort and resources could have been directed at the targeted rehabilitation of areas of potential return, making return more sustainable in the long run.
- 4. It might have concentrated the minds of donor governments and international development agencies on the need to make early and tangible progress with reconstruction, and with the enhancement of security beyond Kabul. This would have been a more effective way of strengthening the legitimacy and authority of the Afghan government, than the costly, and potentially unsustainable, assisted return of large numbers of refugees. 113
- UNHCR would have been able to adopt a more consistent line in its policy statements on return from neighbouring and nonneighbouring states, and it would have enjoyed a stronger negotiating position in its discussions with non-neighbouring governments about the return of Afghans from their territories.

But even if the international community had actively discouraged return during 2002, and UNHCR had not provided an assisted repatriation programme, would this have resulted in significantly fewer returns? Those who believe in the concept of "facilitated" return (or, as one of our interviewees put it, "you can't tell refugees what to do") might well think not. In support of this view, they might point out that about 300,000

It sometimes appeared that the difference boiled down to who paid the truck driver. If UNHCR organises the transport, this is promotion, but if the refugees are given the money to make their own transport arrangements, this is facilitation. It was not explained, however, why this did not apply to repatriation from Iran, where transport to the border was organised by the government and transport from the border to the returnee's home province was organised by the IOM and (later) UNHCR

It is worth noting here that at least the major part of the contributions made to UNHCR's US \$271 million budget for repatriation and reintegration between October 2001 and December 2002 will have come from funds pledged for the reconstruction of Afghanistan at the Tokyo Ministerial Meeting.

people are said to have returned spontaneously between December 2001 and the end of February 2002, before the assisted programme was launched, and that the pace of this spontaneous return would certainly have picked up with the start of the "repatriation season" in March.

There would undoubtedly have been significant repatriation, even if there had been no assistance programme. But, as we pointed out earlier, this programme was part of a barrage of "encouraging messages" that was directed at the refugees following the fall of the Taliban government and the Bonn Agreement of December 2001. If we are to believe that this made virtually no difference to the numbers repatriating, we would also have to believe that the refugees made their decisions to return with a kind of tunnel vision. We would have to believe that they were oblivious to the international media spotlight that fell on Afghanistan after 11 September and to the pronouncements of political leaders in Washington and London and at the Bonn and Tokyo meetings. In the age of globalised communication networks, this seems highly unlikely.

Political Pressure

But finally, even if the above points are taken, were there not powerful political pressures on UNHCR which would have made it unthinkable for it not to have launched an assisted repatriation programme in March and April this year? Three potential sources of such pressure come immediately to mind: countries of asylum (mainly, but not only in the region), the Afghan government and its own donors.

Countries of Asylum. As far as neighbouring states are concerned, it may be that UNHCR saw itself (like the refugees it was trying to help) as "caught between a rock and a hard place." It either had to "facilitate" return to a less than satisfactory environment or face an increasingly hostile attitude towards refugees from the governments of Pakistan and Iran. But, if this was indeed its motive, the assisted repatriation programme might have been better described as "facilitated involuntary repatriation" than as "facilitated voluntary repatriation." The question that arises here is, could UNHCR have taken a tougher stance with neighbouring states? And the answer must surely be yes, but only if it

had been supported by donor governments, who would have had to put significant burdensharing money on the table to assist host countries.

- earlier, the return of refugees is a powerful symbol of a government's legitimacy, in the eyes of its own people and of other states. The Afghan government, like all governments with a substantial number of their citizens living in exile, therefore had a clear incentive to persuade as many Afghans as possible to return "home." And as a constituent part of the United Nations Assistance Mission in Afghanistan (UNAMA), UNHCR would have been under strong pressure to support the Afghan government by doing all it could to help refugees return.
- Donors. And after all, is this not its job a job which is particularly "relevant" to the international community at this particular historical conjuncture? This is where we see the third possible political pressure that could have made it impossible for the UNHCR to delay the launch of the assisted repatriation programme - a pressure from its own paymasters. The point here is not that there was explicit encouragement given by donors to the UNHCR to ensure the early return of Afghan refugees. Indeed, in all our conversations with donor representatives in Kabul, we found no evidence of this. But perhaps explicit encouragement at this level was not necessary. Perhaps all that was necessary was that UNHCR should have learned, from its dealing with donors over the years, the importance of demonstrating its "relevance" and "added value" and of being seen to be fulfilling its mandate to seek "permanent solutions."

This raises questions about the UNHCR's supposedly non-political mandate and about the use of humanitarian assistance to further the political ends of donor governments, to which we shall return in the conclusion. Here we want to make the simple point that the problems and dilemmas faced by UNHCR in its 2002 assisted repatriation programme in Afghanistan do not arise solely from the particular characteristics of this case. They also arise from the general characteristics

of the policy of containment - without burden sharing - which has been pursued by the international community since the end of the Cold War as its preferred way of dealing with the global refugee problem. Rather than treating the political context as given and confining the argument to the technical and managerial problems of institutional cooperation and coordination, we believe that real progress, in the sense of improving the life chances and defending the rights of millions of vulnerable people, will not be made unless the framework itself is subjected to critical reflection and analysis.

5. Those Who Remain



According to figures provided by the governments of Pakistan and the UNHCR, about two million Afghans remained in Pakistan at the end of October this year. 114 More than 80 percent of those who had returned to Afghanistan since March had come from the cities of Pakistan, and more than 60 percent had left Afghanistan during the past seven years. As a result, more than 70 percent of Afghans remaining in Pakistan are now living in "camps," 63 percent in old camps, or "refugee villages," and 10 percent in the new camps which were set up to accommodate the most recent outflow in late 2001 and early 2002. Before this year's assisted repatriation programme began, there was a roughly equal split between the camp based and non-camp based populations. 115

It is easy to understand why those living in refugee villages should have been relatively unwilling to repatriate. Many had been living in Pakistan for anything from 10 to 23 years. They and their

children had become adapted to a new way of life and to living conditions (including housing, employment, business opportunities and access to basic social services) which they would have found it difficult or impossible to replicate in Afghanistan. Many are also Pashtuns from northern Afghanistan, who fear ethnic discrimination in their home areas, following the defeat of the Taliban by the predominantly Tajik-based "Northern Alliance" and the Uzbek forces of Abdul Rashid Dostum. The two most common reasons given by those we spoke to for not wishing to repatriate were fears about security and lack of employment opportunities. The blanket term "security" seemed to embrace concerns about ethnic discrimination, about the lack of state protection through effective institutions of law and order, about the possibility of the permanent loss of family honour through the rape or kidnapping of a female relative and the arbitrary abuse of power by local power holders.

 $^{^{114}}$ This is based on the Government of Pakistan's estimate that there were 3.5 million Afghans living in Pakistan in March 2002 and the UNHCR's estimate that $^{1.5}$ million had repatriated by the end of October.

¹¹⁵ UNHCR, 2002a.

Since these conditions are unlikely to change much in the near future, it seems unlikely that next year's repatriation figures will be as high as 2002. UNHCR's initial planning figure for returns from Pakistan in 2003 was 600,000, but it now recognises that the actual figure may turn out to be as much as 50 percent less than this. There is little doubt, however, that 1) the GoP will want to see as many return as possible; 2) that it will be particularly keen to see the camp-based population reduced; and 3) that it will keep up the pressure on UNHCR to achieve these objectives.

Before the next repatriation season begins in March 2003, UNHCR Pakistan intends to collect "detailed data on the camp caseload" as part of its aim to undertake a "countrywide analysis of expected return trends" and identify areas of high potential return to be targeted with reintegration assistance. 116 A tripartite repatriation agreement between Pakistan Afghanistan and the UNHCR, agreed to in December 2002 and due to be signed in January 2003, provides for the screening of Afghans in Pakistan, in three years' time, after the present voluntary repatriation programme has run its projected course. The purpose of the screening will be to distinguish those in need of international protection from illegal immigrants. Since Afghans in Pakistan are no longer exempt from the Foreigners' Act, under which any foreigner who does not hold valid travel documents is defined as an illegal immigrant, 117 screening could have a drastic effect on the lives of undocumented Afghans, including those who entered before 1999 and were given prima facie refugee status. There is, furthermore, a provision in the proposed tripartite agreement for an annual review, when the three-year timescale for screening could be altered. The UNHCR is likely to feel under some pressure, therefore, to maintain the pace of repatriation at a level acceptable to the Government of Pakistan. 118

This demonstrates the importance of an issue which appears to have been low on the agenda of UNHCR Pakistan during the 1990s, no doubt because all Afghans in Pakistan then enjoyed prima facie refugee status: the protection of refugees in the country of asylum. This issue may also have been swept under the carpet more recently by an understandable preoccupation with the logistics of repatriation and the provision of reintegration assistance in Afghanistan. In the last few months, however, UNHCR Pakistan has established a network of Advice and Legal Aid Centres (ALAC) for Afghans, in collaboration with a national NGO, the Society for Human Rights and Prisoners' Aid (SHARP), and with two international NGOs, the Norwegian Refugee Council (NRC) and the International Catholic Migration Commission (ICMC). SHARP has opened centres in Islamabad, Rawalpindi and Mianwali, where its activities

A man interviewed in his home village, near Herat

"I first went to Iran six years ago and stayed for a year. I was living in a tent in Tehran and working as a labourer. I went back again 18 months ago when I was asked to fight by the Taliban. I returned [to Afghanistan] nine days ago.

"If I can survive here, I will stay. I have only half a *jerib* [5 *jeribs* = 1 hectare, approximately] of vineyard. I am not on good terms with my relatives, so I can't ask them to help. I used to be a sharecropper. At present, there isn't enough water to irrigate the land. Also, the price of wheat is very low so this discourages farmers from producing. It means a lot of work for minimal reward - so there are no opportunities for sharecropping. In Iran we were told that the UN would assist so most Afghans were taken in by this propaganda. We need more assistance than was provided at the transit camp. I have an old house that needs to be repaired. The house is badly cracked and it is not safe to live on the first floor. I will have to take it down to its foundations. I would very much welcome assistance with rebuilding it.

¹¹⁶ UNHCR, 2002g, p. 3.

¹¹⁷ This policy was summarised in a letter from the Ministry of States and Frontier Regions (SAFRON) to the Ministry of the Interior, dated 2/2/01 and copied to UNHCR's Islamabad office, as follows:

[&]quot;Henceforth, all those Afghan nationals who do not possess 'refugee cards'/ 'refugee permits' issued by the UNHCR/Commisionerates of Afghan Refugees, or who have not been granted visas on their passports, shall be regarded as illegal immigrants and will be treated as per The Foreigners' Act and laws applicable to foreigners."

¹¹⁸ It is worth noting here that the Government of Pakistan, which would like to see a stronger Pashtun presence among the Kabul ruling elite, has an interest in seeing significant numbers of ethnic Pashtuns return to Afghanistan over the next two years, so that they can exercise their vote in the 2004 elections. The exercise of voting rights by the many Afghans who will not have returned by the time of the election will therefore become a pressing matter as the election date approaches.

include representing Afghans in court and facilitating the release of prisoners. ¹¹⁹ The NRC has two centres and a mobile team in Peshawar. ICMC has funded the opening of three centres run by local NGOs (in Peshawar, Islamabad and Quetta) which it continues to support with training and advice. The budget allocated for ALACs is very small (US \$400,000) and UNHCR staff in Islamabad and Peshawar indicated that, if more money were available to expand what they now see as a vital but previously neglected aspect of their work, they would accept it with alacrity.

The total number of Afghans remaining in Iran can also be put at about two million, based on the government's estimate of the size of the Afghan population in 2001 and the UNHCR figure of 270,000 for total returns in 2002. As with the returnees from Pakistan, the majority who returned from Iran in 2002 had left Afghanistan during or since the Taliban period. Unlike the returnees from Pakistan, however, most of those who returned from Iran were single men, which suggests that many of them may have been economic migrants. 120 It is not clear, however, whether those who remain are also predominantly single men. Some, at least, of those who returned this year had been in Iran for 20 years or more and had brought up families there. But we have not been able to find data giving a breakdown of the length of stay of the Afghan population in Iran which might give some indication of the balance of families and single men. Our interviews suggest that the authorities are relatively tolerant of Afghan families, being less likely to stop and search family members than single men. It may be, therefore, that those who have been in Iran for some time will be able to remain without feeling undue pressure beyond verbal harassment by the general public.

On the other hand, the increased restrictions placed on the employment of foreigners, and pressure from both the Parliament and the labour

unions for all foreigners without work permits to leave the country as soon as possible, may lead to an acceleration in the pace of repatriation, based on the usual seasonal peaks in the spring and summer. We can also assume, both that the Iranian government will continue to deal firmly. through deportation, with those Afghans whom it regards as illegal immigrants and also that, as fast as it does so, Afghans in need of work to support their families will continue to find their way into Iran with the help of smugglers. Given the regular detention and deportation of Afghans, both documented and undocumented, by the Iranian police, we may assume that the protection needs of Afghans in Iran are as great, if not greater, than they are for those in Pakistan. 121

Burden sharing v. burden shifting

UNHCR would, of course, be in a considerably stronger position to protect the rights of refugees in Pakistan and Iran if donor states were prepared to engage in serious burden sharing, rather than burden shifting. This should consist in development aid that is designed to benefit both Afghans and their hosts by, for example, improving basic health services and providing employment opportunities in areas where there is a high concentration of refugees. It happens that a concept paper for just such a project, focused on the "rehabilitation of refugee hosting areas" in Balochistan and NWFP, Pakistan, was produced by UNDP in June 2002, in collaboration with UNHCR. The intended outcomes of the project, which was expected to cost US \$40 million, were "increased income levels for the local population, including refugees, as well as a restored and improved natural resource base to sustain the increasing human and livestock population." It was expected that the implementation of the project would "enable the Pakistan general public...to gain a direct appreciation of the support from the international community towards alleviating the burden of the

A recent case reported by SHARP illustrates the problems that can arise for Afghans in Pakistan, especially in the urban areas. This concerned a family of eight, including a 15-year-old child, that was refused bail despite the court having issued a bail release order. At a seminar convened by the Human Rights Commission of Pakistan on 25 September 2002, a senior police officer reported that "so far" (we are not clear what time period this refers to) the police had arrested 159 illegal immigrants under the Foreigners' Act, 138 of whom were Afghans. He added that, after recently introduced amendments to the act "there were no chances of bail and the arrested person would be sent to jail for a period of ten years."

The typical length of stay for economic migrants in Iran is 18 months.
 As far as we know, UNHCR has still not been given permission by the Iranian authorities to screen detainees, despite the fact that, unlike Pakistan, Iran is a signatory of the 1951 Convention Relating to the Status of Refugees and its 1967 Protocol.

many years of massive refugee influx."122 At the time of writing, this proposal has found no donors willing to fund it. In the absence of such burden sharing aid, it seems that the only card UNHCR Pakistan has to play in order to reduce government pressure on refugees is "facilitated" repatriation.

It is highly likely, then, that a significant number of Afghans will seek to remain in Pakistan and Iran, both as family groups and as single wage earners, and that that they will find increasingly inventive methods to circumvent any attempts at stricter border control and police scrutiny inside the country. Here we have to recognise that the Afghan refugee "crisis" of the past 23 years has been superimposed on a history of economic migration, within the Central Asian region and beyond, going back hundreds of years. We may turn again to G.P. Tate, writing at the beginning of the last century, for confirmation of this:

"India offers now, as it always has done, a field for the enterprise of the Afghans, whose hands can wield indifferently a cloth measure, a spade, a sword or a rifle. Numbers of the poorer classes of the population enter India every winter, when all avocations are suspended in their own country, either for trade or seeking for employment. The needy tribesmen wander as far afield as Assam and Burma in search of work, which the natives are too well off or too indolent to undertake themselves, and for wages which apparently offer no temptation to the natives for exertion. The Afghans have crossed the sea to Australia with camels, and some have amassed money there in other occupations."123

Economic migration

The importance of economic migration as a survival strategy for Afghans is probably greater now than it has ever been, due to population growth (estimated at two percent, or about 500,000 per year) compounded by the effect on the agricultural base of four years of drought. It follows that, in considering the return of refugees to Afghanistan, we should give up any idea that "sustainability"

equates to immobility - that it ideally involves "anchoring" people to their places of origin. We should be thinking, instead, of mobility as one of the key ingredients of sustainability, both for households and for the Afghan economy as a whole. According to a recent report on livelihood strategies in Afghanistan,

"Remittances are central to the Afghan economy and also to Afghans living in neighbouring countries....in general families with people in the [Persian] Gulf or Europe are able to accumulate while the remittance economy in Pakistan and Iran is more commonly associated with survival. 124

"Remittances in Angori [in the northern province of Sar-i-Pul] were a key source of income.... and respondents estimated that about 80 percent of young men have gone either to Iran/Pakistan or Europe/Australia. In Jaji [in eastern Paktia province], remittances funded not only individual families, but communal institutions, such as schools (building and running) and mosques. 125

It is unlikely, of course, that either Iran or Pakistan will formally accept Afghans as economic migrants in the foreseeable future. The movement of Afghan migrants to both countries will therefore continue to be a clandestine affair. In the long run, however, the effective protection of refugees in the region, and the search for "durable solutions" (including resettlement and local integration) will mean tackling the general problem of unregulated economic migration.

There is a huge gap in our knowledge here, which can only be filled by systematic, in-depth research. We need to know about the contributions of Afghans to the economies of Pakistan and Iran, about the importance of remittances, both from neighbouring and non-neighbouring countries, to the Afghan economy and about the "stretching" of Afghan households over several countries, within the region and beyond. In short, we need to know much more about the so-called "development-migration nexus" as it affects

¹²² UNDP, 2002, p. 4.

¹²³ 1911, p. 9.

¹²⁴ Bhatia, Goodhand et. al., 2002, p. 11.

¹²⁵ Bhatia, Goodhand et. al., 2002, p. 17.

Afghanistan, regionally and globally. The challenge posed by so-called "mixed flows" of refugees and economic migrants to the asylum systems of individual states and to the international refugee regime is, of course, by no means confined to the Central Asian region, as the following quotations from a recent UNHCR Working Paper illustrate:

"It is increasingly recognised that refugees are part of a global migratory phenomenon in which people are prompted to leave their own country by a complex combination of fears, hopes and aspirations...

"The blanket enforcement of measures designed to deter or prevent the movement of unwanted migrants makes it increasingly difficult for refugees and asylum-seekers to gain access to international protection...

"Many commentators have also argued that restrictive refugee and migration practices are, to varying degrees, self-defeating. So long as certain basic needs are not met in the country of origin, the imperative of survival may continue to prompt migration to another state, irrespective of the barriers placed in its way. ¹²⁶

The problem of how to regularise, in a globalised world, the clandestine movement of people, desperate to escape from the "discomforts of localised existence" 127 may well turn out to be a hallmark of the present century, just as the "refugee problem" was a hallmark of the last.

¹²⁶ Crisp and Dessalegne, 2002, p.8.

¹²⁷ Bauman, 1998, p. 2.

6. Conclusion



We have focused our attention in this paper more on the wider political factors affecting the policy of the international community towards refugee reintegration in Afghanistan, than on practical issues of implementation and aid management. This is partly because we are by no means as well informed as many of our potential readers about the complexities of the situation, and about what policies are likely to be feasible in the near future. But the main reason is our belief that international refugee policy is ultimately determined by the political objectives of the rich, industrialised states. Unless this fact is regularly and explicitly confronted, the international assistance community is in danger of being seen, in Chimni's words, as "an instrument of an exploitative international system" that is "periodically mobilised" to address the "worst consequences" of that system. 128

It is of course possible to suggest a number of immediate practical steps that could be taken to

address at least some of the issues we have raised. These would include, in no particular order of priority, the following:

- Funds for infrastructural development work should be released as soon as possible so as to reduce the gap between relief and development and help ensure the sustainability of return.
- It should be recognised that the amounts pledged at the Tokyo Ministerial Meeting for reconstruction and emergency aid in Afghanistan were manifestly inadequate.
- 3. ISAF should be expanded and its troops deployed to each of the 32 provincial capitals.
- 4. More financial and human resources should be invested in returnee monitoring, or some equivalent exercise, to provide reliable

¹²⁸ Chimni, 1999, p. 1.

information about areas of refugee return in a form that can be made widely available to agencies and donors.

- 5. Specific funds should be provided to enable UNHCR to strengthen and enhance its protection work in countries of asylum.
- 6. Donors should support the protection work of UNHCR, not only directly but also indirectly, by providing serious burden-sharing aid to countries of asylum.
- 7. A "Relief and Rehabilitation Commission," or some equivalent body, should be set up within the Afghan government to coordinate assistance to drought victims and the internally displaced, so that this role is not left to UNHCR.
- 8. In-depth, qualitative research should be funded to improve knowledge and understanding of refugee decision making and of the regional and transnational networks that sustain the incomes of Afghan households and families.

These recommendations are neither original nor contentious. They also tell a story that has repeated itself in several "post-conflict" situations over the past 10 years, despite concerted efforts by the international assistance community to improve "inter-agency cooperation" and "strategic coordination." This is why, in attempting to answer the question, "could it have been otherwise?" in the case of repatriation to Afghanistan, we have been led to consider those external factors which ultimately determine the policies of the rich industrialised states towards refugee flows in the developing world.

The main instrument of international policy towards refugees, of course, is UNHCR, an organisation which, according to Loescher, "has demonstrated quite an extraordinary capacity for perpetuation and growth." 129 Its evolution has been powerfully shaped by state interests, but it has not been merely a "passive mechanism of

states."130 Its survival and growth has depended on its ability, actively and sometimes proactively, to adapt to, and capitalise on, international political developments. At the same time, in much of its work, and especially when attempting to carry out large scale emergency operations, it is "often at the mercy of its donors and host governments."131

"The agency can only carry out its enormous emergency and maintenance operations if it receives funding from the industrialised states. It can only operate in the countries into which refugees move if host governments give it permission to be there. Thus the UNHCR is in a weak position to challenge the policies of its funders and hosts, even if those policies fail to respond adequately to refugee problems." 132

Our principal conclusion in this paper is that it was precisely UNHCR's "weak position" in relation to "the policies of its funders and hosts" that led it to launch a "facilitated" repatriation programme early in 2002 which was, arguably, in the best interests neither of the majority of its intended beneficiaries nor of the long term reconstruction of Afghanistan.

But is its position as weak as Loescher, and presumably UNHCR itself, seem to think? Does it have the leverage to confront these political pressures more effectively? To answer this question would require much more knowledge of UNHCR and of its funding arrangements than we possess. But, wishing to end on an optimistic note, and bearing in mind the politically driven nature of the humanitarian assistance programme in Afghanistan, we suggest that UNHCR may have more leverage than it appears to think. Since the "humanitarian war" that NATO forces fought in Kosovo, it is obvious that humanitarian values have become an important means of justifying, and lending legitimacy to, actions taken in pursuit of policy objectives which are not primarily humanitarian. 133 The US intervention in Afghanistan was no exception. Public statements about the war against the Taliban and Al Qaeda made by

¹²⁹ Loescher 2001, p. 348.

¹³⁰ Loc. cit.

¹³¹ Loescher, p. 350.

¹³² Loc. cit.

¹³³ The latest example of this, occurring as this paper goes to press, is the many references that have been made by the American and British governments to Saddam Hussein's record of human rights abuses in the build-up to a possible invasion of Iraq.

President Bush as well as Defence Department and military officials, were couched in the language of humanitarianism as well as in that of the "war on terror." In announcing the bombing campaign, for example, on 7 October, Bush declared:

"...the oppressed people of Afghanistan will know the generosity of America and its allies. As we strike at military targets, we'll drop food, medicine and supplies to the starving and suffering men and women and children of Afghanistan." ¹³⁴

As Wheeler points out, the issue is not whether Bush and his colleagues were sincere in their motives, but that they "felt it was necessary to publicly defend the action in humanitarian terms, an implicit admission that this justification was a necessary enabling condition of the action." 135

This suggests that there may be a sense in which the rich industrialised states, which provide UNHCR and other humanitarian agencies with most of their income, ¹³⁶ need the "humanitarian international" more than it needs them. For it would seem that they have come to rely heavily, in pursuing their foreign policy objectives, on

being able to show that these objectives promote, or at least do not undermine, humanitarian values. This in turn would seem to put considerable potential leverage into the hands, as well as responsibility onto the shoulders, of those who are the respected international guardians of those values.

When one of us explained to a member of the aid community in Kabul that we would be devoting space in this paper to a discussion of the evolution of the international refugee regime, he was not impressed. This was not something, he felt an audience of practitioners and policy makers would find helpful. His reaction was understandable. To be treated to an account of the historical and political origins of a set of constraints on one's freedom of action, which one feels one has no power to change, might well be as irritating as to be told, "I wouldn't start from here" when seeking advice on how to complete a journey. But we remain unrepentant. Unless one steps back from time to time, to consider the wider picture, one cannot engage in critical reflection on taken for granted assumptions. And even if such critical reflection does not help much in completing the present journey, it could be vital in planning the next one.

Afghanistan Research and Evaluation Unit (AREU)

^{1 34} US Department of State (2001), cited by Wheeler (forthcoming), p. 14.

Wheeler, forthcoming, p.15.

[&]quot;About 98 percent of the office's funding comes from voluntary contributions from governments: and most of this from a small number of major industrialized states which inevitably exercise a disproportionate amount of influence on the organisation. For example, in 1999, the United States, Japan and the European Union accounted for 94 percent of all government contributions to the UNHCR." (Loescher, 2001, p. 349-50).

government contributions to the UNHCR." (Loescher, 2001, p. 349-50).

This is defined by Alex de Waal, who seems to have coined the phrase, as "the international elite of the staff of international relief agencies, academics, consultants, specialist journalists, lobbyists and also, to an increasing extent, 'conflict resolution specialists' and human rights workers" (1997, p. 65).

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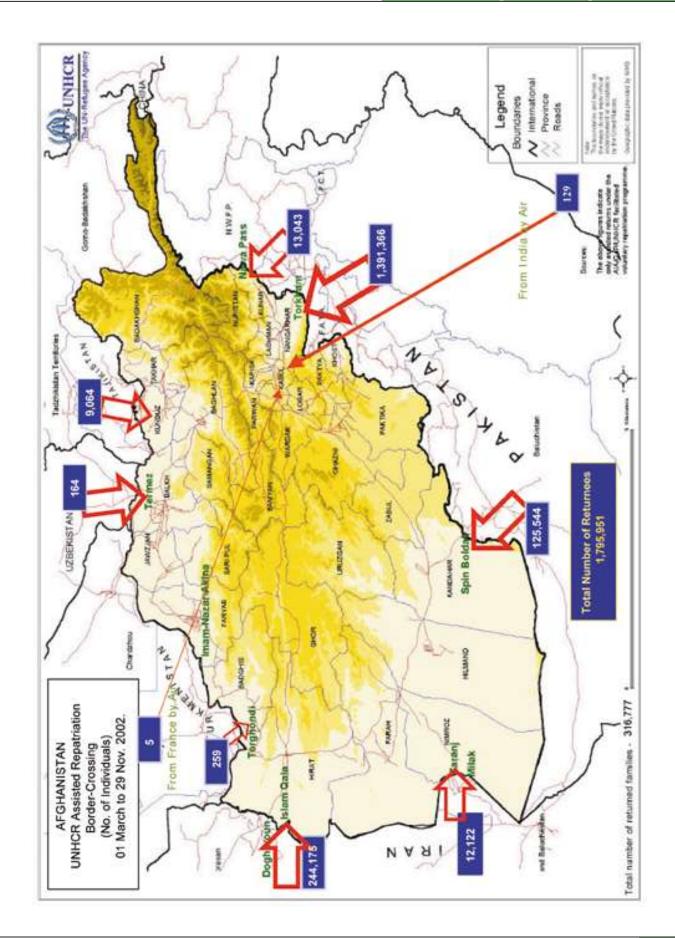
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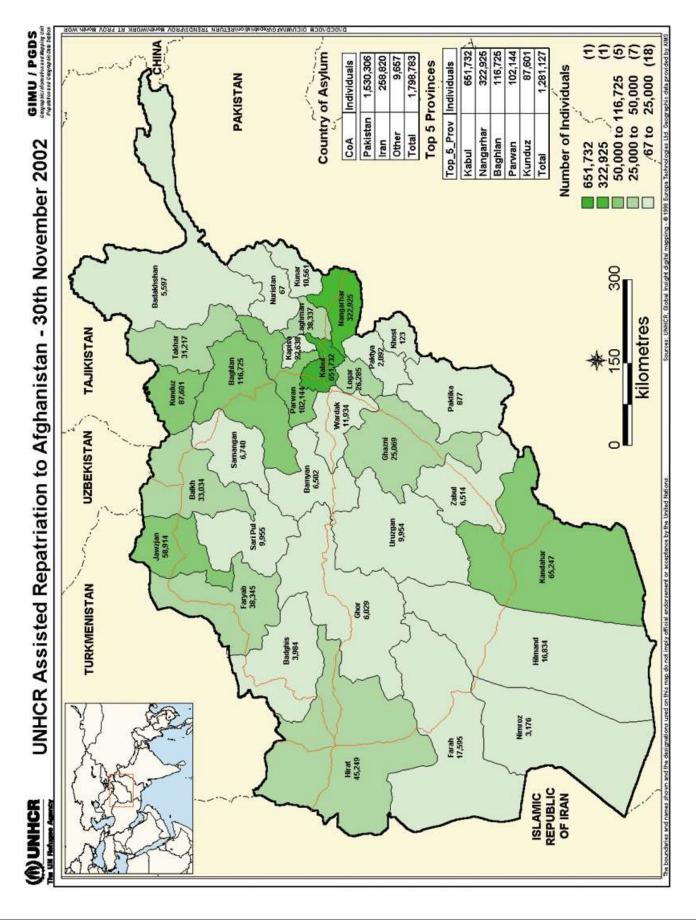
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Abbreviations and Acronyms

AIA Afghanistan Interim Administration

ALAC Advice and Legal Aid Centres

ASG Afghan Support Group

ATA Afghanistan Transitional Administration

BAFIA Bureau of Aliens and Foreign Immigrants Affairs

CIA Central Intelligence Agency

GoP Government of Pakistan

ICMC International Catholic Migration Commission

IOM International Organisation for Migration

ISAF International Security Assistance Force

ISI Inter Services Intelligence

NRC Norwegian Refugee Council

NWFP Northwest Frontier Province

PDPA People's Democratic Party of Afghanistan

QIP Quick Impact Project

SAFRON Ministry of States and Frontier Regions

SHARP Society for Human Rights and Prisoners' Aid

UNAMA United Nations Assistance Mission in Afghanistan

UNHCR The Office of the United Nations High Commissioner for Refugees

USAID United States Agency for International Development

USCR United States Committee for Refugees

WFP World Food Programme (UN)

VRC Voluntary Repatriation Centre

VRF Voluntary Repatriation Form

Recent Publications by the AREU

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- Strategic Coordination in Afghanistan, by Nicholas Stockton;
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