Borders in Motion:
Migration, Displacement, and Regional Perspectives in Afghanistan and the Democratic Republic of Congo

Repatriation of Refugees *to* and *from* the Democratic Republic of Congo, 1991 - 2022

This paper provides a history of the return movements of Congolese refugees living abroad to the Democratic Republic of Congo. This paper also details the coupled return movements of diverse refugee groups living in the Democratic Republic of Congo back to other African countries.

Repatriation of Refugees to the Democratic Republic of Congo

Context

The Democratic Republic of the Congo (DRC or DR Congo) – also known as Zaire from 1971 to 1997 – is one of the most populous countries in sub-Saharan Africa. Historically a region of hunter-gatherers, the area now encompassed by DR Congo began experiencing migration thousands of years ago. The economy of DR Congo remained fairly strong into the mid-1970s due to exports of resources such as diamonds, uranium, and copper. Throughout this time, DR Congo drew economic migrants from throughout the region. With the 1973 oil crisis and global collapse in commodity prices, the country's economy deteriorated greatly.[1]

However, DR Congo began transitioning to a country of outmigration in the 1980s. Despite economic reforms and slight advancements, the situation in DR Congo became critical by the late 1980s and has not seen significant improvement through today. By 1990, returning Congolese migrants living in Europe and neighboring countries began to decrease.[2]

In 1990, an estimated 300,000 Congolese migrants and refugees resided in one of nine neighboring countries: Angola, Burundi, Central African Republic, Republic of Congo, Rwanda, Sudan [now South Sudan], Tanzania, Uganda, and Zambia. This number represented three-quarters of all migrants from DR Congo worldwide.[3]

1991 - 1994: Deteriorating conditions lead to fewer returns

The 1990s constituted one of the darkest periods in DR Congo's history. Growing dissatisfaction with the Mobutu regime and lagging democratization led to riots in 1991 in the capital, Kinshasa. Emigration in DR Congo increased at this time, with repatriation and returns becoming less favorable.[4]

In 1994, ethnic strife and civil war began spilling into DR Congo from neighboring Rwanda. The Rwandan genocide forced more than 1.2 million refugees across the Congolese border in July 1994.[5] Political violence and lack of economic opportunities remained significant push factors for residents of DR Congo. Additionally, new opportunities in destination countries contributed to the growth of

[1] Flahaux, Marie-Laurence and Bruno Schoumaker. "Democratic Republic of the Congo: A Migration History Marked by Crises and Restrictions." *Migration Policy Institute,* 2016. Available at: https://www.migrationpolicy.org/article/democratic-republic-congo-migration-history-marked-crises-and-restrictions.
[2] Ibid.
[3] Ibid.
[4] Ibid.
[5] Ibid.

Congolese populations outside of DR Congo. The end of the apartheid regime in South Africa in 1995, for example, boosted its desirability as a destination.[6]

October 1996 - 1997: Dangers of the First Congo War discourage returns

Rwandan Hutu fighters seeking to return to power in Rwanda used refugee camps located in DR Congo as bases from which to step up incursions into Rwanda throughout 1995 and 1996. In response, the Rwandan government organized a rebellion to attack the Hutu militias in DR Congo and overthrow the Mobutu regime sheltering them. The Rwandan government placed the Congolese rebel leader Laurent-Désiré Kabila the head of this plan.[7] By the end of 1996, UNHCR had very little access to IDPs and refugees in DR Congo.[8]

The rebellion, known as the Alliance of Democratic Forces for the Liberation of Congo-Zaire (AFDL) is what became known as the First Congo War. AFDL forces captured eastern DRC's largest city, Goma, on November 1st 1997. AFDL forces broke up refugee camps and killed tens of thousands of refugees and other civilians in DR Congo. Kabila renamed the country from Zaire in October 1997, suspended all political parties, and began ruling by decree.[9]

Late 1997: Some voluntary returns occur in peacetime

After Kabila took power, "widespread [local] support exists for reconciliation efforts" began despite worsening ethnic tensions in the eastern part of DRC, according to a 1997 USCR report. Uprooted Congolese gradually trickled home in the last half of 1997.[10]

For example, more than 10,000 Congolese refugees in Tanzania repatriated with UNHCR assistance, and thousands more returned from Tanzania spontaneously. USCR urged Congolese officials to take more steps to encourage additional repatriation from Tanzania, stating that the government of DRC should "publicly declare that Congolese refugees are welcome back to their country despite poor [conditions] … and should provide adequate information to them." Several thousand Congolese refugees also spontaneously repatriated from Rwanda at this time. Most were ethnic Tutsi Congolese.[11]

New rounds of violence late in the year, however, forced some repatriated Congolese to flee again. In addition to the new refugees created during this time, tens of thousands of Congolese remained refugees from previous years.[12]

1998 - 1999: The Second Congo War again halts returns

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[6] Flahaux & Schoumaker. "Democratic Republic of the Congo."
[7] Council on Foreign Relations. "Eastern Congo."
[8] UNHCR. "UNHCR Global Appeal 1999 - Great Lakes Operation." 1998. Available at: https://www.unhcr.org/us/publications/unhcr-global-appeal-1999-great-lakes-operation.
[9] Council on Foreign Relations. "Eastern Congo."
[10] UNHCR. "U.S. Committee for Refugees World Refugee Survey 1998 - Zaire." 1998. Available at: https://www.refworld.org/reference/annualreport/uscri/1998/en/16412.
[11] Ibid.
[12] Ibid.

In July 1998, Kabila expelled all foreign soldiers, most of whom were his former Rwandan allies, marking the end of the AFDL alliance.[13] Later in the month, the government of DR Congo signed an agreement with UNHCR to remove obstacles to UNHCR's activities in the country. However, the resumption of hostilities made it more difficult to offer aid to displaced Congolese and refugees, and ensure safe returns to DRC.[14]

Rwandan forces once again invaded eastern Congo on August 2, 1998, with the support of Congolese Tutsis and others in the DRC army who opposed Kabila.[15] Immense violence led the UNHCR to evacuate all its staff from the DRC in mid-August, effectively eliminating voluntary return assistance.[16] This conflict led to an exodus of Congolese civilians and more than 1.2 million internally displaced persons (IDPs). Following the First Congo War and the start of the Second, the number of Congolese refugees living in neighboring countries exceeded 250,000.[17]

1999 - 2002: Further limited voluntary returns occur in peacetime

With the help of his foreign allies, Kabila contained the rebellion to the eastern half of the country. Kabila's government controlled only the western provinces. As a result of the stalemate, the six main countries involved in the war—the DRC, Rwanda, Uganda, Zimbabwe, Angola, and Namibia—agreed to a cease-fire on July 10, 1999.[18]

The ceasefire agreement, called The Lusaka Accord, called for an immediate cessation of hostilities, the withdrawal of foreign troops from the DRC, the disarmament of militias, and the deployment of a UN monitoring and peacekeeping force. The domestic anti-Kabila rebel groups ignored the agreement, and the Rwandan and Ugandan branches of the rebellion force splintered. The groups began fighting one another for territory and resources in eastern Congo.[19]

The two successive wars in DR Congo had a significant impact on the humanitarian situation throughout the region. According to a 1999 UNHCR publication, the economic, social and political climate in the DRC was immensely tense and unstable.[20] Nonetheless, the UNHCR outlined plans to assist Congolese living both inside and outside of DR Congo to return after the cessation of conflict. There were some 3,600 Congolese refugees living in Sudan, 12,000 in Zambia, 1,200 in Uganda, and 5,000 in Burundi. UNHCR outlined a commitment to assisting all Congolese returning to DRC from other countries of asylum.[21]

To further support the recovery of DR Congo, The UN Security Council established the UN Organization Mission in the Congo (MONUC) to monitor the cease-fire on February 24, 2000. The UN mission was limited to a primarily observational mandate: liaising with the various military factions in eastern Congo and throughout the country, verifying the demobilization of forces, and facilitating humanitarian

[13] Council on Foreign Relations. "Eastern Congo."
[14] UNHCR. "UNHCR Global Appeal 1999."
[15] Council on Foreign Relations. "Eastern Congo."
[16] UNHCR. "UNHCR Global Appeal 1999."
[17] Flahaux & Schoumaker. "Democratic Republic of the Congo."
[18] Council on Foreign Relations. "Eastern Congo."
[19] Ibid.
[20] UNHCR. "UNHCR Global Appeal 1999."
[21] Ibid.

assistance. MONUC is also tasked with protecting civilians "under imminent threat of physical violence."[22]

By 2000, the number of Congolese migrants living in neighboring countries had more than doubled compared to a decade prior. The end of the Angolan civil war in the early 2000s, combined with unprecedented economic development, attracted many Congolese to Angola. According to the MAFE survey conducted in DR Congo's capital, Kinshasa, South Africa and Angola alone received more than half of the migrants leaving the Kinshasa region in the 2000s.[23]

On January 16, 2001, Kabila was assassinated by his bodyguard. The cabinet appointed Kabila's son, Joseph Kabila Kabange, to the presidency. Joseph Kabila immediately moved to restart the Inter-Congolese Dialogue peace process. He met with Rwandan President Kagame in February 2001, supporting the cease-fire and welcoming an expanded UN presence in the DRC.[24] Joseph Kabila signed a peace agreement with Rwanda on July 30, 2002. MONUC also expanded its presence in eastern DRC to assist with the demobilization of militias.[25]

By December 2002, all of the major domestic rebel groups came to a power-sharing agreement with the DRC government.[26] However, protracted armed conflicts continued in certain regions. In October 2002, more than 500 Congolese refugees fled from violence in Uvira in one day, headed to western Tanzania. The new arrivals outstripped UNHCR's reception capacity at a transit center in Mbuba, DR Congo. This transit center was located close to the Kobero, Burundi and Ngara, Tanzania borders.[27]

The UNHCR feared that more Congolese refugees would head for Tanzania than could be handled as they were turned away from other nations. Burundi closed its borders to an estimated 20,000 Congolese who had fled an overnight counter-offensive in Uvira. These refugees were involuntarily returned to their homes following an appeal by rebel leader Adolphe Onusumba. Onusumba also addressed thousands of Congolese refugees who were being assisted by UNHCR at two sites in western Burundi, asking them to return home. Refugees at these sites said they would prefer to watch the situation in Uvira before returning. UNHCR continued to register an increasing number of Congolese refugees seeking to enter Burundi.[28]

2003 - 2004: Pressure to return leads to mass repatriations, both forced & voluntary

While the economy of DR Congo began to improve, the eastern parts of the country continued to experience regular violence and forced displacement.[29] While much of the country saw a return to normalcy, violence continued in the eastern Kivu and Ituri regions.[30]

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[22] Council on Foreign Relations. "Eastern Congo."
[23] Flahaux & Schoumaker. "Democratic Republic of the Congo."
[24] Council on Foreign Relations. "Eastern Congo."
[25] Ibid.
[26] Ibid.
[27] Redmond, Ron. "Tanzania / Eastern D.R. Congo / Burundi." *UNHCR,* 2022. Available at: https://www.unhcr.org/africa/news/briefing-notes/tanzania-eastern-dr-congo-burundi.
[28] Ibid.
[29] Flahaux & Schoumaker. "Democratic Republic of the Congo."
[30] Council on Foreign Relations. "Eastern Congo."

In December 2003, Angolan authorities began expelling thousands of Congolese while accusing them of illegally mining diamonds in the country. Expulsions continued into 2004, and mass returns from Angola in April constituted the third and largest wave of forced repatriation of DRC refugees at this point. Many of the people expelled from Angola were born there, and had no place to which they can return. The returnees were suspected by Angolan and DRC security forces of having hidden money or packets of diamonds on their persons, including by swallowing.[31]

Countless Congolese civilians continued to feel unsafe in the Congo. In June 2024, some 20,000 DRC refugees arrived in Burundi after fleeing fighting in the South Kivu region.[32] Thousands of Congolese refugees also crossed the border into Rwanda around this time following fighting in the Bukavu region of eastern DRC. As Bukavu fell to rebel control, an attempted attack on UNHCR's compound was thwarted and the agency's staff were put on security alert. Anti-government and anti-UN violence was also reported on the streets of the capital, Kinshasa, and Lubumbashi in the south-east, near the border with Zambia.[33] Following an agreement signed between DRC, the Central African Republic (CAR), and UNHCR on August 26, 2004, some 10,000 DRC refugees living in CAR voluntarily repatriated. This agreement provided a legal framework for repatriation, many of whom fled the DRC's northwestern province of Equateur during fighting between 1998 and 2002. As this area became relatively stable, the refugees had been urging the agency to assist them to return home. UNHCR teams conducted several assessment missions to evaluate the conditions for return, and stated the convoys would begin before the end of 2004.[34]

At the end of September 2004, riots erupted in Uvira to protest in support of 365 Congolese refugees leaving Burundi, who had also been held up at the border for days. These refugees eventually were allowed across the border into DRC and stayed in transit facilities under MONUC guard. These returning refugees dispersed to their homes after a few days.[35]

In Angola, tens of thousands of Congolese continued to be expelled throughout the late 2004 and remained under threat in DR Congo. The UN estimated that up to 100,000 Congolese entered DRC from Angola between September and late October, while the Angolan President upheld that he had suspended the expulsion of Congolese living in Angola. In addition to those refouled, many others were reportedly subjected to serious human rights violations on both sides of the border.[36]

Those expelled to the DRC from Angola told international and local NGOs that Angolan security forces subjected them to appalling human rights violations before expulsion. Angolan security forces reportedly stole anything valuable from the refugees, conducted public and unhygienic internal body searches (severely beating those who resisted searches), and raped women and girls under the pretext of a search.

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[31] Amnesty International. " DR Congo/Angola: Forced repatriation leaves thousands destitute and facing human rights abuses." 2004. Available at: https://www.amnesty.org/en/wp-content/uploads/2021/09/afr620122004en.pdf.
[32] Verney, Marie-Hélène. "Waiting refugees granted return to DR Congo." *UNHCR,* 2004. Available at: https://www.unhcr.org/africa/news/waiting-refugees-granted-return-dr-congo.
[33] UNHCR. "UNHCR concerned about tensions in DR Congo." 2004. Available at: https://www.unhcr.org/africa/news/news/unhcr-concerned-about-tensions-dr-congo.
[34] The New Humanitarian. "Agreement reached to repatriate 10,000 Congolese refugees." 2004. Available at: https://www.thenewhumanitarian.org/report/51203/drc-central-african-republic-agreement-reached-repatriate-10000-congolese-refugees.
[35] Verney, Marie-Hélène. "Waiting refugees granted return to DR Congo."
[36] Ibid.

A number of refugees also reportedly drowned as they attempted to cross rivers in their forced journey back to DR Congo.[37]

According to Amnesty International, Congolese NGOs and international humanitarian organizations were given inadequate support to assist returning Congolese from government and local authorities. The manager of a Congolese NGO working in Kasai Occidental stated that "The government must urgently establish and implement a strategy to assist the returnees, facilitate the delivery of humanitarian aid, and promote the integration of returnees into local communities."[38]

In the first week of October 2004 alone, over 1,000 Congolese refugees waited en masse for permission to re-enter the DR Congo. Many of these refugees were returning from Burundi after fleeing DRC in June. The Congolese authorities refused the group entry, citing a lack of transit facilities in the DRC's border area to accommodate them. Congolese authorities agreed to let the refugees return home after a week.[39] Asked why they had suddenly decided to mass at the frontier and remain there, the refugees' committee said they had been given ultimatums to leave by the Burundian authorities. The refugees' representatives insisted that none of the people there at the border wanted to go to a refugee camp but simply wanted to return to their homes in the DRC.[40]

However, local and national authorities upheld that they were upholding humane treatment and non-refoulement. During a meeting on October 11 between UNHCR, the UN Office for the Coordination of Humanitarian Affairs, and refugee representatives, the governor of the Bukavu province in the DRC said that the border post had never been closed, but simply "suspended" due to the refugees' heavy presence. He added that the authorities wanted to verify the refugees' identity and search the baggage of some, pointing out that this occurred at border crossings everywhere in the world.[41] The Burundian government also repeated that Congolese refugees who wished to remain in Burundi were welcome to do so. "The crossing point back into Burundi has never been closed, and a return to Gatumba and Karurama and an eventual transfer to a refugee camp further inland in Burundi has always been an option for this group of people.[42]

The UNHCR continued to advise refugees from turbulent areas in DR Congo against returning home. According to UNHCR spokeswoman Marie-Hélène Verney, "The situation in their home region of South Kivu remains volatile, and that return at this stage could be difficult. However, the refugees are determined to return home, and we are putting in place an emergency assistance programme in their home area that will include the opening of a UNHCR office in Uvira."[43]

2005 - 2012: During relative piece, some returns occur while regional conflicts continue

In 2006, DRC held democratic, multiparty elections for the first time in more than forty years. In a runoff held on October 29, President Kabila won 58 percent of the vote, defeating former rebel leader

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[37] Ibid.
[38] Ibid.
[39] Ibid.
[40] Ibid.
[41] Ibid.
[42] Ibid.
[43] Ibid.

Jean-Pierre Bemba. The elections were regarded as generally free and fair by international observers despite Bemba's accusations of widespread fraud.[44]

In November 2006, a tripartite agreement was signed between DRC, Zambia, and the UNHCR for the voluntary repatriation of DRC refugees. At this time, Zambia hosted more than 61,000 refugees from the DRC, two thirds of which lived in camps.[45] A number of Congolese refugees returned to DR Congo at this time. In 2007, the IOM launched an appeal for $5.3 million USD to help 20,000 more DRC refugees living in camps in Zambia to return home. Depending on funding, these refugees would be returned from Meheba, Kala and Mwange camps in western and northern Zambia to reception centers in Katanga province in Eastern DRC.[46]

In October 2008, the rebel group National Congress for the Defence of the People (CNDP) launched an offensive that displaced hundreds of thousands of civilians in eastern Congo.[47] CNDP's leader, Nkunda, was arrested in January 2009 for colluding with Rwanda in his rebel operations and a peace deal was signed on March 23, 2009.[48]

Other clashes erupted in 2009 between the Munzaya and Enyele communities over traditional fishing rights in DRC's Equateur province. Approximately 160,000 Congolese fled to neighboring countries due to this conflict: 140,000 to the Republic of Congo and 20,000 to the Central African Republic.[49]

In light of improvements to the DRC economy and relative stability in 2010,[50] a Tripartite Agreement on Voluntary Repatriation was signed between UNHCR, Rwanda, and DR Congo to assist returnees.[51] There was also a steady return of Congolese refugees from Zambia, and the beginnings of an official process for the return of refugees from Burundi during this time. Returns to South Kivu from Tanzania, however, were at a standstill due to persistent insecurity in return zones while North Kivu's repatriation process remained highly politicized.[52]

The return of Congolese refugees from Rwanda and Burundi was expected to be problematic given the ethnic minorities involved, and concerns grew that what stability existed would deteriorate. Additionally, returning refugees often encountered negative attitudes by residents who remained in-country. Those who stayed in DRC resented that they suffered through the war with little assistance, believing it was unjust that returning refugees benefited from assistance in the camps, as well as during their repatriation and reintegration.[53]

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[44] Council on Foreign Relations. "Eastern Congo."
[45] Ibid.
[46] IOM. "Appeal to Help Thousands of DRC Refugees Return Home." 2007. Available at: https://www.iom.int/news/appeal-help-thousands-drc-refugees-return-home.
[47] Council on Foreign Relations. "Eastern Congo."
[48] Ibid.
[49] UNHCR. "Final voluntary repatriation of DRC refugees from the Republic of Congo." 2014. Available at: https://www.refworld.org/docid/53e1e1664.html.
[50] Flahaux & Schoumaker. "Democratic Republic of the Congo."
[51] UNHCR. "UNHCR, DR Congo, and Rwanda discuss voluntary repatriation, and durable solutions for returning refugees." 2023. Available at: https://www.unhcr.org/africa/news/press-releases/unhcr-dr-congo-and-rwanda-discuss-voluntary-repatriation-and-durable-solutions.
[52] Brown, Vanessa Noël. "Foundations for repatriation and peace in DRC." *Forced Migration Review; Oxford.* Iss. 36, Nov 2010: 54-55. Available at: https://www.proquest.com/openview/35a23694ddc0098345f389f8d85de3f8/1?pq-origsite=gscholar&cbl=55113.
[53] Ibid.

In May 2012, the UNHCR also organized 416 voluntary repatriation convoys from the Republic of Congo to DRC's Equateur province. While 119,000 DRC refugees would opt for voluntary repatriation over the next two years, approximately 23,000 chose to stay in the Republic of Congo.[54]

November 2012 - November 2013: M23 regains ground

The war in the east resumed with the mutiny of former rebel CNDP soldiers who had been integrated into the national army. Naming themselves the March 23 Movement (M23) after the March 23, 2009 peace deal, the rebels took the largest city in the region, Goma, in November 2012. UN peacekeepers did not intervene. Nearly half a million people in the eastern Kivu regions were displaced by the renewed fighting.[55]

In March 2013, The UN Security Council authorized a new offensive force as an offshoot of the broader mission MONUSCO in light of the M23 rebellion regaining ground. The UN Force Intervention Brigade immediately began joint operations with the national army against M23. In November 2013, after displacing some eight hundred thousand people, seizing gold and other mineral resources, and committing atrocities across the region, M23 admitted defeat and entered into talks to disarm and demobilize. However, thousands of fighters from myriad local militias and Rwandan Hutu forces continued to operate in eastern Congo with near impunity.[56]

2014 - 2021: Few returns due to protracted conflict

In 2014, more than 430,000 Congolese remained as refugees in neighboring countries, mainly in Uganda, Rwanda, Tanzania and Burundi.[57] By mid-2015, this number had risen to 1 million (compared to the 1.2 million Congolese residing outside of DR Congo in Africa as a whole).[58] In contrast, other Africans have been less prone to move to DR Congo. The number of Congolese refugees abroad exceeded the estimated 400,000 foreign refugees in DR Congo at this time.[59]
By 2016, most Congolese migrants in Western countries did not return. Whereas Congolese families used to encourage their children to return, they tended to push them to remain abroad, because of poor prospects in the labor market and high economic and political uncertainty. Additionally, as obtaining a visa for reentry to Europe became more difficult, return jeopardized the chances of departure in the event of new crises or difficulties reintegrating.[60]

In September 2016, DRC officials announced that national elections would not be held by the November deadline, sparking widespread protest. The UN warned that election-related conflict could rekindle the war in the DRC's east, and the U.S. and EU imposed sanctions, travel bans, and asset freezes on senior Congolese officials.[61]

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[54] UNHCR. "Final voluntary repatriation of DRC refugees from the Republic of Congo."
[55] Ibid.
[56] Ibid.
[57] UNHCR. "Final voluntary repatriation of DRC refugees from the Republic of Congo."
[58] Flahaux & Schoumaker. "Democratic Republic of the Congo."
[59] Ibid.
[60] Ibid.
[61] Council on Foreign Relations. "Eastern Congo."

In early 2018, a settlement was established in Mantapala, Zambia to accommodate Congolese refugees who were displaced due to inter-ethnic clashes and fighting between Congolese security forces and militia groups in parts of the south eastern DRC.[62]

Later in the year, the Congolese government announced that Kabila would not run for a third term. Instead, the ruling People's Party for Reconstruction and Democracy backed Emmanuel Ramazani Shadary, Kabila's former interior minister. The electoral commission barred several popular opposition figures from running.[63] President Tshisekedi took office on January 24, 2019, in the country's first peaceful transfer of power since independence.[64]

In April 2021, Tshisekedi moved to consolidate control, purging opposition supporters from the most powerful parliamentary posts. With demobilization efforts stalled, Tshisekedi struggles to respond as simmering violence in eastern Congo escalates throughout the year, including the killing of an Italian ambassador and protests against UN peacekeepers. Kinshasa ultimately imposes martial law in North Kivu and Ituri Provinces.[65] At this time, DR Congo's level of human development was ranked 179th out of 191 countries by the Human Development Index. [66]

Security in some areas did improve. For example, some areas of Haut-Katanga in DRC were appropriate for returnees. In December, nearly 5,000 (out of approximately 63,000) Congolese refugees wanted to head home voluntarily from Zambia's Mantapala settlement to Pweto in the Haut-Katanga province, as their return was considered sufficiently safe. The government of Zambia prepared COVID-19 rapid testing for the returning refugees at the Mantapala Rural Health Centre. [67]

During their efforts to assist voluntary repatriation, UNHCR collaborated with authorities to ensure that COVID-19 prevention measures were observed, including loading of buses to half the capacity, disinfecting buses, and providing face masks and hand sanitisers. The UN Children's Fund (UNICEF) and WFP also worked to provide voluntary repatriation documents, expedited immigration clearance, health screening, and school certificates to allow children to resume their education in the DRC.[68]

2022 - Resurgence of M23 spurs humanitarian crisis and returns stall

Remnants of M23 launched a fresh campaign in eastern Congo in March 2022, citing a lack of progress on demobilization and Hutu armed factions in the region.[69] Insecurity in the country was exacerbated by a spike in violence in the eastern provinces of Ituri, North Kivu and South Kivu. UNHCR and other protection actors in the DRC recorded an average of 6,700 protection incidents per month, with a high prevalence of violations of physical integrity and gender-based violence.[70]

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[62] Baloch, Babar. "Thousands of DR Congo refugees in Zambia opt to head home." *UNHCR,* 2021. Available at: https://www.unhcr.org/africa/news/briefing-notes/thousands-dr-congo-refugees-zambia-opt-head-home.
[63] Ibid.
[64] Council on Foreign Relations. "Eastern Congo."
[65] Ibid.
[66] UN. "Foreword by UNDP Administrator." *Arab Human Development Report*, 2022, pp. Ii–iii. Available at: doi:10.18356/9789210019293c001, ISBN 978-92-1-001929-3.
[67] Baloch, Babar. "Thousands of DR Congo refugees in Zambia opt to head home.
[68] Ibid.
[69] Council on Foreign Relations. "Eastern Congo."
[70] UNHCR. "Democratic Republic of the Congo situation - Global Report." 2022. Available at: https://reporting.unhcr.org/democratic-republic-congo-situation-global-report-2022.

Year	Number of Voluntary Returns *Via UNHCR, IDMC and UNRWA.*[71]
2016	13,223
2017	26
2018	6,628
2019	23,861
2020	392
2021	715
2022	11,243

Attacks against local and international aid workers led to at least four people being killed, several wounded, and 10 abducted during the first half of the year alone. In some areas, recurrent attacks forced several humanitarian organizations to suspend their activities or even leave entire districts permanently. In March, for example, seven humanitarian organizations suspended their activities in the Kamango health zone, leaving more than 300,000 people without humanitarian assistance in northern Nord-Kivu, according to OCHA.[72] In July, popular belief that the UN failed to protect civilians prompted violent protests that led to the deaths of at least thirty-six demonstrators and five UN peacekeepers.[73]

In the face of this conflict, Kinshasa appealed for help from the East African Community (EAC), prompting a multinational intervention force of some twelve thousands troops to deploying August. The ensuing violence displaced more than a hundred thousand Congolese people.[74] These military interventions by UN forces and EAC armies did not lead to a decrease in attacks against civilians by armed groups.[75]

However, some DRC refugees continued to choose voluntary repatriation to safe areas. Congolese residing in Angola opted to return in August as part of a voluntary refugee repatriation operation organized on the Angolan side.[76] Around 11,300 DRC refugees, mainly those who had sought asylum in Zambia, voluntarily repatriated to Kinshasa and the southern provinces of Haut-Katanga and Kasai, up from 700 in 2021.[77]

Nearly three hundred thousand Congolese were displaced by November, when the leaders of Angola, Burundi, the DRC, and Rwanda agreed to a cease-fire. M23, though not party to the talks, agreed to the truce but then failed to withdraw from its captured territories.[78] On November 18, 2022, UNHCR reiterated its call for a ban on forced returns of Congolese migrants, including asylum seekers who had their claims rejected, to the eastern provinces of the DRC. UNHCR stated that its nonreturn advisory

[71] Norwegian Refugee Council. "NRC in the Democratic Republic of the Congo." Available at: https://www.nrc.no/countries/africa/dr-congo/.
[72] Amnesty International. "Democratic Republic of the Congo 2022." Available at: https://www.amnesty.org/en/location/africa/east-africa-the-horn-and-great-lakes/democratic-republic-of-the-congo/report-democratic-republic-of-the-congo/.
[73] Council on Foreign Relations. "Eastern Congo."
[74] Ibid.
[75]Amnesty International. "Democratic Republic of the Congo 2022."
[76] UN Development Coordination Office. "Angolan refugees return to the Democratic Republic of the Congo to build a new life." *African Renewal, 2023.* Available at: https://www.un.org/africarenewal/magazine/january-2023/angolan-refugees-return-democratic-republic-congo-build-new-life.
[77] UNHCR. "Democratic Republic of the Congo situation."
[78] Ibid.

would remain in effect until conditions improved enough to allow for safe and dignified returns.[79] An additional 600,000 people were forced to flee by the end of 2022, bringing the number of displaced Congolese to nearly 6 million.[80]

Repatriation of Refugees from the Democratic Republic of Congo

Conflict in African countries has led to mass migration movements into the DRC. This case-study explores the drivers behind the repatriation of Angolan, Burundian, CAR, and Rwandan refugees from DRC between 1991 and 2022.

Country of Origin	1990	1995	2000	2005	2010	2015	2020
Angola	468,462	276,402	325,733	262,144	259,584	181,954	177,028
Burundi	20,203	128,458	36,692	35,973	37,626	38,377	59,145
Central African Republic	No data	No data	No data	No data	No data	253,402	323,269
Congo	3,647	5,912	9,470	9,473	1,549	6,431	6,242
Rwanda	22,972	1,132,791	85,936	82,035	123,871	275,136	251,333
South Sudan	113,409	137,306	118,742	57,568	4,465	8,596	90,971
Sudan	15,895	15,271	16,643	16,647	2,506	5,523	5,370
Uganda	18,418	19,780	24,177	30,118	33	6,115	5,950
Other	91,188	101,043	126,994	129,051	160,248	34,484	33,563
Total (Africa)	663,006	1,715,920	617,393	493,958	429,634	775,534	919,308

UN "Trends in Migration Stock," 2020 Revision.[81]

Repatriation of Angolan Refugees from DRC

Context

Shortly after Angola gained independence from Portugal in 1975, the country fell into civil war. The war dragged on for 27 years, pitting the People's Movement for the Liberation of Angola (MPLA), the National Union for the Total Independence of Angola (UNITA) and the National Liberation Front of Angola (FNLA) against each other in a bid to control the country. The war is said to have resulted in the deaths of at least 500,000 people, and the displacement of a million people. Over the course of the conflict, more than 150,000 Angolans made their way into the DRC.[82] The repatriation of Angolan refugees has been a major priority of UNHCR since the 1980s, yet the civil strife in that country frustrated repeated attempts to set in place a viable programme.[83]

1992 - 1998: Beginning of repatriation programs

[79] ANSA. "UNHCR urges ban on forced returns of asylum seekers to DRC." *Info Migrants,* 2022. Available at: https://www.infomigrants.net/en/post/44911/unhcr-urges-ban-on-forced-returns-of-asylum-seekers-to-drc.
[80] Ibid.
[81] United Nations Population Division. "Trends in Migration Stock." 2020 Revision. Available at: https://www.un.org/development/desa/pd/content/international-migrant-stock.
[82] Essa, Azad and Sorin Furcoi. "Angolans in DRC have mixed feelings on home." *Al Jazeera,* 2014. Available at: https://www.aljazeera.com/features/2014/3/13/angolans-in-drc-have-mixed-feelings-on-home.
[83] UNHCR. "Angolan Situation." Available at: https://www.unhcr.org/uk/sites/uk/files/legacy-pdf/3e2d4d505.pdf.

In 1990, refugees from three camps in Shaba province in the DRC repatriated. In 1991 and 1992, some movements took place following the conclusion of the Bicesse Accord. With the signing of the Lusaka Peace Protocol in November 1994, UNHCR mounted the Angola Repatriation and Reintegration Operation to facilitate the return and reintegration of Angolan refugees in the region.[84]

By the beginning of 1998, the operation was in full swing, but peace started to unravel again as fighting resumed between the Government and UNITA (União Nacional para Independência Total de Angola) in the second quarter.[85] 10,000 refugees in Angola fled the war and began residing in neighboring DRC.[86] UNHCR was forced to suspend the repatriation temporarily in June, and later in October it was suspended.[87] UNHCR and non-governmental organizations had to quit offices in eastern Angola in June as a result of the fighting, along with around 30,000 Angolans who crossed into Shaba province in the DRC. Although 145,000 Angolans had been repatriated since 1995, the renewed instability had "dimmed prospects" for the thousands of refugees living in DRC since the war began 20 years prior.[88]

The fighting grew progressively worse throughout 1999 and a government offensive against UNITA early in the year enabled it to recapture some of the territory controlled by the latter. The areas of Andulo, Mungo, Nharea and Bailundo were recaptured in September and, by November, UNITA Headquarters had fallen into government hands. Tens of thousands of Angolans continued to cross into neighboring countries in 1999. The DRC received some 16,000 Angolans, although UNHCR did not have full access to them due to security concerns.[89]

2002: End of civil war spurs first repatriation movement

In 2002, Angola underwent a peace process and the civil war ended after nearly 30 years. During the peace process, The UN Security Council created the UN Mission in Angola (UNMA) to assist with political and humanitarian reconciliation. Part of UNMA's mission included a mandate to coordinate the delivery of humanitarian assistance to vulnerable groups, such as internally displaced persons and returning refugees. At this time, approximately 500,000 Angolans remained in exile.[90]

In May 2002, a legal and policy framework for the repatriation of Angolan refugees was established. Negotiations began to create tripartite agreements between the Angolan government, UNHCR, and refugee hosting governments in the region.[91] This program concluded in 2007.[92] About 57,000 Angolans returned home from the DRC between 2003 and 2007 but the programme was stopped due to logistical

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[84] Ibid.
[85] Ibid.
[86] The New Humanitarian. "Southern Africa: Angolan refugee concerns." 1998. Available at: https://reliefweb.int/report/angola/southern-africa-angolan-refugee-concerns.
[87] UNHCR. "Angolan Situation."
[88] The New Humanitarian. "Uncertainty for Angolans stripped of refugee status in DRC." 2013. Available at:
[89] UNHCR. "Angolan Situation."
[90] Council on Foreign Relations. "The Repatriation of Angolan Refugees and Internally Displaced Persons." 2002. Available at: https://www.cfr.org/report/repatriation-angolan-refugees-and-internally-displaced-persons
[91] Essa & Furcoi. "Angolans in DRC have mixed feelings on home."
[92] UNHCR. "World Refugee Survey 2008 - Congo-Brazzaville." 2008. Available at: https://www.refworld.org/reference/annualreport/uscri/2008/en/54065.

problems, with some 80,000 refugees left behind in the country, many of them living in camps and dependent on aid.[93]

2011-2012: Further security improvements in Angola and second repatriation movement

In June 2011, a new agreement was signed between the UNHCR, DRC, and Angola. The initiative was revived after a UNHCR survey found that 43,000 Angolans were interested in returning home from DRC. By November, 20,000 refugees signed up for help with returning.
According to UNHCR, refugees wished to return home because of "improved prospects for peace in Angola, because their families are waiting, [and] because they feel they would be better off at home and they miss their country."[94]

In 2012, as stability returned to Angola, the government of the DRC – like other countries in sub-Saharan Africa with sizable Angolan refugee populations – terminated the refugee status of Angolan refugees. The move was part of a plan to persuade the refugees to return home. For those ex-refugees who wanted to stay, the DRC government said it would make residency permits available. Around 23,000 Angolans returned through the UNHCR-mediated repatriation programme in 2012.[95]

Most were repatriated to the Angolan mainland. "The last repatriation was based upon agreements between Angola, the UNHCR and the host countries when it was established that Angola had regained the stability [required] and its economy was prospering, especially as the majority of its refugees had returned to their home country," said Severe.[96]

2013- 2015: Final repatriation movement
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By January 2013, another 22,000 others said they were also prepared to return.[97] In mid 2014, UNHCR launched another repatriation program to return Angolan refugees living in DRC. UNHCR stipulated that this could be a possible conclusion to one of the African continent's oldest stories of displacement.[98]

47,815 Angolan refugees still live in DRC and signaled their desire to remain. Some refugees stated that barriers to reintegration and poor economic prospects were barriers to their return to Angola. Carlos Cainda, president of the Angolan ex-refugee committee in Kinshasa, a loose body representing the community in discussions with the UNHCR and the government, told Al Jazeera many ex-refugees would "pack up and go immediately" if they were sure they wouldn't be forced to find refuge in the DRC again.[99]

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[93] Reuters. "UN resumes return of Angolan refugees from DR Congo." 2011. Available at: https://www.defenceweb.co.za/security/civil-security/un-resumes-return-of-angolan-refugees-from-dr-congo/?catid=74&Itemid=30.
[94] Ibid.
[95] Essa & Furcoi. "Angolans in DRC have mixed feelings on home."
[96] The New Humanitarian. "Uncertainty for Angolans stripped of refugee status in DRC." 2013. Available at: https://reliefweb.int/report/democratic-republic-congo/uncertainty-angolans-stripped-refugee-status-drc.
[97] Ibid.
[98] Essa & Furcoi. "Angolans in DRC have mixed feelings on home."
[99] Ibid.

The political situation in Angola remained stable throughout 2015.[100] By the conclusion of the voluntary repatriation program in 2015, more than 523,000 Angolan refugees returned, more than half coming from the Democratic Republic of Congo (DRC).[101] Starting in 2015, UNHCR Angola operation focused on urban refugees and asylum seekers.[102]

Repatriation of Burundian Refugees from DRC

Context: Civil war and First Burundian Genocide

In late April 1972, Hutu rebels rose to power and attacked both Tutsi and any Hutu who refused to join their rebellion. The Tutsi-dominated government used the army to combat Hutu rebels and commit genocide, murdering targeted members of the Hutu majority.[103] The total number of casualties was never established, but contemporary estimates put the number of people killed between 80,000 and 210,000.[104] Several hundred thousand Hutu were estimated to have fled the killings into DRC (then called Zaire).[105] Following the civil war and genocide, various conflicts led to further violence, displacement, and casualties.

1993 - 1995: Second Burundian Genocide and continued conflict stimy returns

The simmering conflict in Burundi reached a pinnacle between October to December 1993, when mass killings of Tutsis were conducted by the majority-Hutu populace. An eruption of ethnic animosity and riots followed the assassination of Burundian President Melchior Ndadaye, and massacres took place throughout the country. An estimated total of 250,000 people died in Burundi from the various conflicts between 1962 and 1993.[106]

In 1994, the country became engulfed by constant, pervasive violence that left an estimated 5,000 persons dead.[107] By the end of 1994, The U.S. Committee for Refugees estimated that there were some 400,000 internally-displaced persons, as well as 180,000 Burundian refugees in DRC.[108]

Some 10,000 Burundians were killed in 1995 as the country's low-intensity civil war gained new momentum. Camps for internally displaced persons became special targets for attack by both sides. Tens of thousands of Burundian Hutu fled to DRC. International relief workers encountered growing risks to their own security.[109]

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[100] UNHCR. "Angola - 2015 Year-End Report Summary." 2015. Available at: https://reporting.unhcr.org/angola-2015-year-end-report-summary.
[101] UNHCR. "Operational Data Portal - Angola." Available at: https://data.unhcr.org/en/country/ago.
[102] Ibid.
[103] Totten, Samuel; Parsons, William S.; Charny, Israel W. (2004). *Century of Genocide: Critical Essays and Eyewitness Accounts.* Psychology Press. p. 325. ISBN 978-0-415-94430-4.
[104] International Commission of Inquiry for Burundi (2002). "The Micombero regime responded with a genocidal repression that is estimated to have caused over a hundred thousand victims and forced several hundred thousand Hutus into exile."
[105] Ibid.
[106] Hagget, Peter. *Encyclopedia of World Geography.* Tarrytown, New York: Marshall Cavendish, 2002. ISBN 0-7614-7306-8.
[107] United States Committee for Refugees and Immigrants. "U.S. Committee for Refugees World Refugee Survey 1997 - Burundi." (1997). Available at: https://www.refworld.org/reference/annualreport/uscri/1997/en/17666.
[108] University of Central Arkansas. "Burundi (1962-present)." *Government, Public Service, and International Studies.* Available at: https://uca.edu/politicalscience/home/research-projects/dadm-project/sub-saharan-africa-region/burundi-1962-present/.
[109] United States Committee for Refugees and Immigrants. "U.S. Committee for Refugees World Refugee Survey 1997 - Burundi."

However, some Burundians living in DRC opted to return home during the continued fighting. The number of Burundian refugees returning from DRC to north-western Burundi increased during the end of 1995. UNHCR, IOM and UNAMIR began discussing offering similar repatriation programs for returning Burundians as they were offering for returning Rwandans through "Operation Retour."[110]

1996 - 1999 : Mass forced repatriations

An outbreak of civil war in eastern DRC in the final three months of 1996 pushed some 70,000 Burundian refugees back into Burundi by year's end. In early October 1996, the rebel group ADFL attacked Burundian Hutu refugee camps in DRC. 60,000 were forced to "repatriate" and turned over to the Burundian army. Aside from those killed or imprisoned, 100,000 moved deeper into Zaire.[111] Some 62,000 of the 143,000 Burundian refugees in DRC returned to Burundi by mid-October 1996.[112]

In many instances, the returnees ended up in the custody of the same Burundian military that had forced them to flee originally. Hundreds of returnees were killed. Efforts by UNHCR to transport returnees back to their home communes encountered criticism from some relief agencies because many home areas were dangerous. The majority of new returnees remained in the northwest border zone, living along the highway with inadequate shelter and water. Security problems prevented regular assistance to them. The number of Burundians living in DRC decreased to around 40,00 Burundians by the end of 1996.[113]

Amnesty International criticized a precedent of non-adherence to international standards governing refugee protection that "particularly affected Rwandan and Burundian refugees" in DRC in 1997. Amnesty named the refoulement of 775 Rwandan and Burundian refugees from the DRC on a single day in September as an example of this noncompliance.[114]

The DRC government continued to force Burundian refugees to return throughout 1997. The fear of being sent to Rwanda and of further human rights abuses in the DRC forced many Burundi refugees to return to Burundi "voluntarily" despite the risks they also faced there. The Rwandan Government also made it clear that it would return to Burundi the Burundi refugees expelled from the DRC.[115]

Hundreds of thousands of Hutu civilians, including returnees, were confined to "regroupment" camps upon their return to Burundi. Although the government claimed that regroupment was voluntary and intended to protect the population, hundreds of men, women and children have been extrajudicially executed during the process. Camps were attacked and ill-treatment and "disappearances" reported. Reports of massacres of civilians, including extrajudicial executions and deliberate and arbitrary killings

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[110] Organization of African Unity (OAU); United Nations High Commissioner for Refugees (UNHCR), OAU/UNHCR Regional Conference on Assistance to Refugees, *Returnees and Displaced Persons in the Great Lakes Region: Bujumbura, Burundi, 15-17 February 1995.* 1995. Available at: https://www.refworld.org/reference/confdoc/oau/1995/en/38573

[111] Adleman, Howard. "The Use and Abuse of Refugees in Zaire - April 1996 to March 1997." Available at: https://web.stanford.edu/~sstedman/2001.readings/Zaire.htm.

[112] Oakley, Phyllis E. "Refugees in Eastern Zaire and Rwanda." Statement before the House International Relations Committee, Subcommittee on International Operations and Human Rights. Washington, DC, December 4, 1996. Available at: https://1997-2001.state.gov/global/prm/961204.html.

[113] United States Committee for Refugees and Immigrants. "U.S. Committee for Refugees World Refugee Survey 1997 - Burundi."

[114] Amnesty International. "Open letter to governments hosting refugees from Burundi, Rwanda and the Democratic Republic of Congo: A call for the safety and dignity of refugees." (1997). Available at: https://www.amnesty.org/en/wp-content/uploads/2021/06/afr020241997en.pdf.

[115] Ibid.

were “a fact of daily life” in Burundi at this time according to Amnesty International.[116] These original regroupment camps would close two years later, allowing inhabitants to return home.[117]

Increased security issues limited international relief and return assistance for Burundian refugees. UN agencies severely curtailed programs in October 1999 in reaction to the killing of two UN aid workers. The programs were reactivated in April, but remained limited in scope because of continued security concerns and funding shortfalls from donor nations.[118]

2001 - 2002: Continued violence decreases voluntary returns

Vigorous mediation efforts by Mandela culminated in the signing of a peace agreement by 19 parties and factions, including the Burundian government, in August 2001. Known as the Arusha Peace and Reconciliation Agreement, the settlement called for an ethnically mixed military, judicial reforms, and UN peacekeeping troops. The agreement acknowledged the "massive forcible displacements" imposed on the population and pledged that "all Burundian refugees must be able to return to their country."[119]

However, the peace accord had little if any positive effect. The agreement contained no cease-fire provision. Numerous signatories expressed formal reservations about specific sections of the agreement, and the two main rebel groups refused to sign the accord or engage in negotiations. As in previous years, progress in Burundi's peace negotiations seemed to inflame violence rather than dampen it. Rebels stepped up their attacks, and government troops and civilian militia responded harshly.[120]

Violence continued in southern and eastern Burundi and expanded into central and western Burundi in the second half of the year. At least 150,000 people in Burundi were newly forced to flee during 2000. More than 420,000 Burundians were refugees by the end of 2000. 1,000 of those refugees lived in DRC.[121] By the end of 2002, the number of Burundian refugees living in neighboring countries had doubled and those in DRC specifically increased 20-fold; a total of 845,000 Burundian refugees lived in other African countries and 20,000 were located in DRC two years later.[122]

2004 - 2010: Relative peace

Most of Burundi enjoyed relative peace for the first time in a decade during 2004. There was a steady flow of returns until the concerns about the 2005 slowed and even reversed repatriation.[123] However, there was a peaceful transfer of power in the 2005 elections. The August 2005 election of President Pierre Nkurunziza instilled an atmosphere of optimism in Burundi and in operations between the nation and UNHCR. Security in Burundi improved in 2006. Hopes for stability and peace were boosted by a ceasefire agreement between the Government and the country’s last active rebel group, the Front National

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[116] Ibid.
[117] US Committee for Refugees and Immigrants. “USCR Country Report Burundi: Statistics on refugees and other uprooted people, Jun 2001.” (2001). Available at: https://reliefweb.int/report/burundi/uscr-country-report-burundi-statistics-refugees-and-other-uprooted-people-jun-2001.
[118] US Committee for Refugees and Immigrants. “USCR Country Report Burundi: Statistics on refugees and other uprooted people, Jun 2001.”
[119] Ibid.
[120] Ibid.
[121] Ibid.
[122] US Agency for International Development. “Burundi - Complex Emergency Situation Report #2.” (2002). Available at: https://reliefweb.int/report/burundi/uscr-country-report-burundi-statistics-refugees-and-other-uprooted-people-jun-2001.
[123] Human Rights Watch. “Burundi - Events of 2004.” (2005). Available at: https://www.hrw.org/world-report/2005/country-chapters/burundi.

de Libération (FNL), on 7 September 2006. Beginning in 2006, voluntary repatriations back to Burundi began to increase.[124]

In early 2008, killings on both sides of the political divide raised concerns about violence as politicians began preparing for the 2010 elections.[125] However, these concerns would not be significantly validated. Burundi's 16-year civil war ended in April 2009 after the government and the last active rebel movement, the FNL, resolved most issues that had impeded the implementation of a September 2006 ceasefire agreement. The FNL laid down its arms and became a political party. FNL fighters and political leaders were integrated into the security forces and government.[126]

Relatively peaceful presidential elections were held in Burundi on 28 June 2010. As a result of withdrawals and alleged fraud and intimidation, incumbent President Pierre Nkurunziza was the only candidate.

Due to relative safety both in DRC and Burundi, UNHCR launched an assisted repatriation programme for Burundian refugees in DRC in October 2010. Most were from the western Burundi provinces of Bubanza, Bujumbura rural and Cibitoke, or from the southern province of Bururi.[127] This was the first return operation that UNHCR was able to facilitate from DRC's South Kivu province, due to continued insecurity that prevented repatriations from occurring. At the time of this repatriation program, 15,000 Burundian refugees remained in South Kivu, and 10,000 expressed interest in repatriation. The remaining 5,000 hoped to settle permanently in the DRC, and were working with the government to address their integration needs. Between 2006 and 2010, more than half a million Burundian refugees returned from DRC voluntarily, most with UNHCR support.[128]

2012 - 2019: Political Crisis and lack of voluntary repatriation

The socio-political environment in Burundi became increasingly precarious in the years that followed. In 2012, human rights organizations and the media reported arbitrary arrests, torture and extra-judicial killings. In addition, the country continued to experience high inflation resulting in the deterioration of the standard of living. Some 40,000 Burundian nationals who were expected to return home by the end of 2012 would have to face these conditions, around 5,000 of which were returning from DRC.[129]

In 2015, Burundian President Pierre Nkurunziza sought a fiercely contested third term in office. A wave of violence resulted, and tens of thousands of Burundians fled to eastern DR Congo.[130] Yet, pressures to return mounted in the years after the exodus of these refugees from Burundi.[131] 6,592 new Burundian migrants arrived in DRC in 2017.[132] In September 2017, 36 Burundian refugees died in clashes with

[124] UNHCR. "Burundi." (2006). Available at: https://www.unhcr.org/my/sites/en-my/files/legacy-pdf/4666d2300.pdf.
[125] Human Rights Watch. "Burundi - Events of 2008." (2009). Available at: https://www.hrw.org/world-report/2009/country-chapters/africa-burundi.
[126] Human Rights Watch. "Burundi - Events of 2009." (2010). Available at: https://www.hrw.org/world-report/2010/country-chapters/burundi.
[127] UNHCR. "Repatriation of Burundians from Congo launched with convoy of 240." (2010). Available at: https://www.refworld.org/docid/4cad5f432.html.
[128] Ibid.
[129] UNHCR. "UNHCR Global Appeal 2013 Update." (2013). Available at: https://www.unhcr.org/sites/default/files/legacy-pdf/50a9f81db02.pdf.
[130] The East African. "Fearing deportation, Burundi refugees quit DR Congo for Rwanda." (2018). Available at: https://www.theeastafrican.co.ke/news/Burundi-refugees-leave-DR-Congo-for-Rwanda-/2558-4332648-10gsw1z/index.html.
[131] Ibid.
[132] UNHCR. "Repatriation of Burundians from Congo launched with convoy of 240."

Congolese soldiers during a protest over the detention of some of their counterparts.[133] UNHCR and partners restarted a voluntary repatriation program for Burundian refugees returning from DRC in hopes of aiding safe returns.[134]

Hostilities encouraged some Burundians living in DRC to return or move to another neighboring country. In March 2018, a group of 2,500 Burundian refugees moved from DRC to Rwanda, fearing repatriation to their home country. The group said humanitarian agencies had stopped delivering them aid the prior January, after they refused to register on a biometric database due to their religion.[135]

By 2018, the number of new arrivals of Burundian refugees in DRC fell to 2,049. Overall numbers of Burundian refugees in DRC were subject to a slight increase throughout 2019, leading to a planning figure of 47,000 individuals at the end of December.[136] At the start of 2019, South Kivu province hosted 41,055 Burundian refugees located in Lusenda camp and Mulongwe settlement, and the rest in host families outside of camps. Due to the complex political situation in their country, Burundian refugees showed little appetite for voluntary repatriation.[137]

2020 - 2022: Increased voluntary repatriations

Following the peaceful conclusion of elections in Burundi in May 2020, increased interest in voluntary return was expressed by Burundian refugees living in DRC. Based on tripartite consultations and assessments to ensure the voluntariness of return, UNHCR began to facilitate returns from DRC in September 2020.[138] 6,000 were expected to repatriate in 2021.[139] The UNHCR stated that at least 1000 Burundian refugees were repatriated from South Kivu, DRC between January and June 2022. As of 2022, About 50,000 Burundian refugees were still present in DR Congo.[140]

Repatriation of Central African refugees from DRC

Pre 1991: Context

The Central African Republic (CAR) became formally independent from French Rule in 1960. Since gaining independence, CAR has experienced decades of violence and instability, including six coups.[141] The modern history of CAR has been riddled with corruption, political repression, and violence.

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[133] The East African. “Fearing deportation, Burundi refugees quit DR Congo for Rwanda.” (2018).
[134] UNHCR. “More than 60,000 Burundian refugees voluntarily return home this year.” (2020). Available at: https://www.unhcr.org/us/news/briefing-notes/more-60-000-burundian-refugees-voluntarily-return-home-year.
[135] The East African. “Fearing deportation, Burundi refugees quit DR Congo for Rwanda.” (2018).
[136] UNHCR. “Democratic Republic of the Congo - Burundian Refugees in DRC.” (2020). Available at: https://reporting.unhcr.org/democratic-republic-congo-burundian-refugees-drc-9.
[137] Ibid.
[138] UNHCR. “Voluntary Repatriation of Burundi Refugees - 30 June 2021.” (2021). Available at: https://data.unhcr.org/en/documents/details/87857.
[139] UNHCR. "2021 Burundi JRRRP 15 February 2021.” (2021). Available at: https://reporting.unhcr.org/sites/default/files/2021%20Burundi%20JRRRP%2015%20February%202021.pdf.
[140] Bisong Etahoben, Chief. “Burundian, Rwandan Refugees Repatriated From DR Congo In First Half Of 2022 – UNHCR.” (2022). Available at: https://humanglemedia.com/burundian-rwandan-refugees-repatriated-from-dr-congo-in-first-half-of-2022-unhcr/#:~:text=The%20National%20Commission%20for%20Refugees,between%20January%20and%20June%202022.
[141] Center for Preventative Action. “Conflict in the Central African Republic.” (2023). Available at: https://www.cfr.org/global-conflict-tracker/conflict/violence-central-african-republic.

1992: Election of Ange-Félix Patassé

By 1990, inspired by the fall of the Berlin Wall, a pro-democracy movement arose. Pressure from the United States, France, and from a group of locally represented countries and agencies called GIBAFOR (France, the US, Germany, Japan, the EU, the World Bank, and the UN) finally led President Kolingba to agree, in principle, to hold free elections in October 1992. He had been in power since 1965, although his rule had been interrupted by various coups (both successful and unsuccessful) and insurrections. When a second round of elections were finally held in 1993, again with the help of the international community coordinated by GIBAFOR, Ange-Félix Patassé won. However, regional conflict continued.

2001 - 2007: Central African Bush War leads to exodus, discourages returns

On 28 May 2001 a coup against Patassé was launched. Rebels stormed strategic buildings in Bangu, but the attempt proved unsuccessful. In the aftermath of the failed coup, militias loyal to Patassé sought revenge against rebels in many neighborhoods of Bangui and incited unrest including the murder of many political opponents. Anyone associated with the coup attempted to flee to neighboring countries, including DRC.

Eventually, Patassé came to suspect that General François Bozizé was involved in another coup attempt against him, which led Bozizé to flee with loyal troops to Chad. In March 2003, Bozizé launched a surprise attack against Patassé, and succeeded. François Bozizé suspended the constitution and named a new cabinet, which included most opposition parties.

In March 2003, an amnesty to those linked with the failed coup in 2001 facilitated the return of CAR refugees in DRC. In June 2003, UNHCR launched a repatriation program to assist more than 2,600 CAR refugees wishing to go home from north-west DRC. UNHCR had planned to move up to 350 refugees daily in an operation that was expected to run for eight days. However, more than the expected numbers showed up, eager to return home.[142]

Many of the returnees reported they were happy to return home, but some found that their homes had been looted. UNHCR provided a reintegration package which consists of kitchen sets, jerry cans, blankets and mats, and WFP provided a food package to help assist the return.[143]

As forces opposed to Bozizé took up arms against his government, the Central African Bush War Began in 2004.[144] CAR refugees fleeing violence made up the largest body of arrivals of any nation in the Great Lakes region of Africa.[145] The war raged for four years before a shaky truce was reached.[146]

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[142] Coville, Rupert. "Central African Republic: Latest on returns from DRC." (2003). *UNHCR.* Available at: https://www.unhcr.org/us/news/briefing-notes/central-african-republic-latest-returns-drc.
[143] Ibid.
[144] Ibid.
[145] The New Humanitarian. "Great Lakes: Year in Review 2005 - Returnees and refugees." (2006). Available at: https://reliefweb.int/report/burundi/great-lakes-year-review-2005-returnees-and-refugees.
[146] Coville, Rupert. "Central African Republic: Latest on returns from DRC."

2012 - 2015: Renewed violence leads to mass exodus of CAR refugees into DRC

However, violence resurged in December 2012, when rebel groups accused the government of not abiding by the peace agreements that were signed at the end of the Bush War.[147] The Central African Republic Civil War began in 2012. A violent seizure of power led to widespread fighting between government forces and armed groups, setting a pattern of sporadic violence that has been ongoing into the present day.[148]

At the peak of the unrest in early 2014, more than 930,000 people were displaced. In one month, 30,000 refugees arrived into DRC.[149] Due to the scale of the crisis, the UN Security Council established a peacekeeping force, MINUSCA, in April 2014. MINUSCA was established with a mandate to protect civilians and disarm militia groups. MINUSCA faced significant challenges in fulfilling its mandate to protect civilians and dismantle armed groups, primarily due to a lack of infrastructure and reluctance to use military force. Numerous attacks have also been carried out against UN peacekeepers and humanitarian workers. 176 peacekeepers have been killed since the start of the mission.[150]
By 2015, more than 190,000 CAR fled to Cameroon, Chad, the Congo and the Democratic Republic of the Congo (DRC).[151] There were around 100,000 Central African refugees in the DRC as of 2016.[152] Reports by human rights groups and UN agencies suggest that violence committed by both sides in the conflict, ex-Seleka forces and anti-balaka groups, amount to war crimes and crimes against humanity.[153]

2019 - 2022: UNHCR voluntary repatriation program begins and voluntary returns occur amidst violence

A tripartite agreement was signed between CAR and DRC in July 2019. In November 2019, UNHCR launched a voluntary repatriation program for CAR refugees in DRC.[154]

In March 2020, UNHCR's repatriation program was halted when CAR and DRC closed their borders to prevent the spread of COVID-19. After a new rebel coalition attacked major towns in late 2020, collapsing a 2019 peace deal, CAR civilians found themselves amidst intensified fighting.[155] In December 2020, violence surrounding the C.A.R. presidential elections sent an estimated 92,000 refugees fleeing into the DRC and further interrupted the UNHCR repatriation program.[156]

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[147] Baptiste, Nathalie and Foreign Policy in Focus. "The Central African Republic's Forgotten Crisis." (2014). Available at: https://www.thenation.com/article/archive/central-african-republics-forgotten-crisis/.
[148] Westerby, Rachel. "ICMC and its Member in the Central African Republic Support the Safe and Dignified Return of Refugees." *International Catholic Migration Commission.* Available at: https://www.icmc.net/2023/01/26/icmc-and-its-member-in-the-central-african-republic-support-the-safe-and-dignified-return-of-refugees/.
[149] Smith, David. "CAR refugees face uncertainty across the border: 'Death was in front of us and we had to run away'." *The Guardian.* (2015). Available at: https://www.theguardian.com/world/2015/feb/02/refugees-plight-democratic-republic-congo-central-african-republic
[150] Center for Preventative Action. "Conflict in the Central African Republic." (2023).
[151] UNHCR. "UNHCR Global Appeal - Central African Republic 2015 Update." (2016). Available at: https://www.unhcr.org/sites/default/files/legacy-pdf/5461e5fd0.pdf.
[152] Marie-Laurence Flahaux and Bruno Schoumaker (20 April 2016). Democratic Republic of the Congo: A Migration History Marked by Crises and Restrictions. Migration Policy Institute.
[153] Center for Preventative Action. "Conflict in the Central African Republic." (2023).
[154] Schlein, Lisa. "Voluntary Repatriation of Refugees to Central African Republic from DR Congo Restarts." (2021). Available at: https://www.voanews.com/a/voluntary-repatriation-of-refugees-to-central-african-republic-from-dr-congo-restarts-/6287392.html.
[155] Human Rights Watch. "Central African Republic." Available at: https://www.hrw.org/africa/central-african-republic.
[156] Schlein, Lisa. "Voluntary Repatriation of Refugees to Central African Republic from DR Congo Restarts." (2021).

Violence continued into 2021 and intensified the ongoing humanitarian crisis and risk of mass atrocities for civilian populations.[157] As of 2021, more than 680,000 refugees and asylum seekers had fled to Cameroon, the DRC, the Republic of the Congo, and Chad. About a third were hosted in DRC. Another 630,000 people were internally displaced.[158]

In 2021, UNHCR launched a voluntary repatriation operation to assist thousands of CAR refugees wishing to leave DRC. According to UNHCR spokeswoman Shabia Mantoo, "People are only returning to areas where security has improved in the past six months, such as Bangui and the prefectures of Ombella Mpoko and Lobaye." Mantoo stated that most are returning from the violence in 2013. Most of those set to return fled their homes because of violence in 2013.[159]

For CAR refugees living in the North Ubangi province, UNHCR outlined their plans to provide air transport for returns due to distance and poor roads. In 2021, 206,346 CAR refugees lived in camps and with host communities in DRC's three provinces. UNHCR planned to assist the return of 6,500 of them in 2021, out of nearly 10,000 who signed up for voluntary repatriation. Between 2019 and the start of 2021, UNHCR helped more than 5,000 refugees return from DRC to CAR. [160]

In April 2022, UNHCR and seven central African states (Cameroon, CAR, Chad, DRC, the Republic of Congo, Sudan, and South Sudan) signed the Yaounde Declaration. This agreement established a regional coordination mechanism to provide solutions for the displacement crisis in the Central Africa region, including a commitment to support opportunities for voluntary repatriation where possible.[161] In 2022, UNHCR planned to continue to support voluntary repatriations for an estimated 20,000 refugees who have expressed their desire to return to areas of CAR assessed as safe.[162] The number of CAR refugees in neighboring countries such as DRC had increased to 741,000 by the end of 2022.[163]

Repatriation of Rwandan Refugees from DRC

Pre 1991: Context

Rwandans have been forced to seek safety abroad in significant numbers since before the country's independence in 1962. The Rwandan Revolution of 1959 pushed some 300,000 Rwandans into exile in neighboring countries, including DRC (then Zaire). Just over a decade later, in 1973, a coup d'état caused an additional 40,000 to flee the country. The 1973 coup transformed Rwanda into a single-party state. For over two decades, one party remained in power. During this era, Rwanda was commended for its economic achievements, good relations with regional states and overall stability, but was also widely

[157] United States Holocaust Memorial Museum. "Political and Ethnic Violence in Central African Republic." Available at: https://www.ushmm.org/genocide-prevention/countries/central-african-republic/political-and-ethnic-violence.
[158] Schlein, Lisa. "Voluntary Repatriation of Refugees to Central African Republic from DR Congo Restarts." (2021).
[159] Ibid.
[160] Ibid.
[161] Westerby, Rachel. "ICMC and its Member in the Central African Republic Support the Safe and Dignified Return of Refugees."
[162] Achu, Claris. "Hopeful Central African refugees return home from DR Congo." *UNHCR.* (2022). Available at: https://www.unhcr.org/us/news/stories/hopeful-central-african-refugees-return-home-dr-congo.
[163] European Civil Protection and Humanitarian Aid Operations. "Central African Republic - Fact Sheet." European Commission. (2023). Available at: https://civil-protection-humanitarian-aid.ec.europa.eu/where/africa/central-african-republic_en.

criticized for its human rights violations and lack of democracy. During these two decades, the administration did very little to bring back home the thousands of refugees who left in 1959 and 1973.[164]

1990 - 1994: Culminating violence and the Rwandan Genocide increases migration to DRC

In 1990, the Rwandan Patriotic Front (RPF), an armed group made up of the descendants of those who fled the country in the wake of the 1959 revolution, launched an attack on Rwanda. The country finally returned to a multi-party system in 1991 and in 1993, president Juvenal Habyarimana's government reached a fragile peace agreement with the RPF. By then, the number of Rwandan refugees and Rwandans of undetermined status living in neighboring countries had reached at least 600,000.[165]

Any emerging hopes for the resolution of the refugee problem, however, were crushed in 1994 when Habyarimana was assassinated. The resulting civil war culminated in the genocide against the Tutsi and pushed about 1.75 million additional Rwandans to seek refuge in neighbouring countries.[166] Fearing retribution for the Rwandan genocide, refugees fled to eastern Congo in 1994.[167] Many who fled the genocide were recognized in neighboring countries as refugees on a prima facie basis due to the mass influx. Many qualified as refugees under the persecution-based definition in the 1951 Refugee Convention and the 1969 African Refugee Convention, or under the latter's expanded refugee definition, which also encompasses those fleeing "events seriously disturbing public order."[168]

1994: Returns following conclusion of genocide

The RPF, led by Paul Kagame, eventually defeated the government forces and assumed control of Rwanda. After this victory, approximately 700,000 Rwandan refugees (the majority being those who had fled Rwanda during the 1959 revolution including their children born in exile) returned to Rwanda.[169]

1996 - 1999: Forced Returns from DRC

In 1996, as part of the Alliance of Democratic Forces for the Liberation of Congo (AFDL) coalition, the Rwandan army invaded the DRC and fought the Rwandan forces that had sought refuge there after the 1994 genocide. During that conflict, the camps that were hosting Rwandan refugees were directly attacked and the UN reported that thousands of Rwandan refugees and Congolese nationals were killed in the process. Close to 750,000 Rwandan refugees returned to Rwanda as a result of this conflict. Some of the survivors still live in DRC while others have managed to flee to countries in Southern Africa and outside the African continent.[170]

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[164] Victoire Ingabire Umuhoza. "Rwanda is no refuge for UK asylum seekers." *The New Humanitarian* (2023). Available at: https://www.aljazeera.com/opinions/2023/6/20/rwanda-is-no-refuge-for-uk-asylum-seekers.
[165] Ibid.
[166] Ibid.
[167] Human Rights Watch. "Rwandan Refugees Ordered Out of Congo." (1999). Available at: https://www.hrw.org/news/1999/04/29/rwandan-refugees-ordered-out-congo.
[168] Human Rights Watch. ""Join Us or Die - Rwanda's Extraterritorial Repression." (2023). Available at: https://www.hrw.org/report/2023/10/10/join-us-or-die/rwandas-extraterritorial-repression.
[169] Victoire Ingabire Umuhoza. "Rwanda is no refuge for UK asylum seekers."
[170] Ibid.

As time passed after the genocide and domestic insecurity increased in DRC, the government of DRC increased pressure for Rwandan refugees to repatriate. In late April 1999, Governor Kanyamuhanga Gafunzi accused the Hutu refugees of assisting militias in destabilizing peace and security in both the rebel-held eastern Congo and neighboring Rwanda and of fostering ethnic divisions in Congo. Heordered the estimated 100,000 Rwandan refugees living in that province to go home within fifteen days. The governor also threatened that Congolese nationals who continue to harbor refugees after two weeks will be considered criminals.

HRW called on the rebel Congolese Rally for Democracy to immediately reverse the order directing Rwandan refugees to return home, stating this order was a serious violation of international law. Despite increasing insecurity in eastern Congo, many refugees remained in hiding or were settled with the local population in that region, fearing reprisals from the Rwandan military if they returned. HRW urged the Rwandan government to respect human rights and convene fair and speedy trials for all suspects while pursuing justice for the victims of genocide.[171]

2009 - 2013: Return initiatives and Cessation Clause pressure returns

Rwandans who had lived in eastern DRC since the early 1990s started returning home following a joint military offensive against the rebels in January 2009. An estimated 50,000 Rwandan refugees, mainly from urban centers, had been in exile in DRC since 1994. According to UNHCR, hundreds of refugees emerged from remote areas of eastern DRC seeking to be repatriated.[172]

Rwandan and Congolese military sources said more than 2,600 combatants and their dependents had surrendered and returned home. The returnees were accommodated at UNHCR temporary transit centers on Rwanda's border with DRC before being transferred to various camps. The combatants were sent to rehabilitation centers in the Northern Province from where they had also resettled. Between 4 January and 3 February 2009, the UN Mission in Congo (MONUC) also repatriated 335 ex-FDLR combatants and their dependents to Rwanda and handed over 120 Rwandan civilians to UNHCR.[173]
To further encourage repatriations in 2009, the Rwandan government worked to convince the UN to end the refugee status of Rwandans who had left the country before November 1998. Also in 2009, Rwanda implemented the Comprehensive Solutions Strategy (CSS) for their refugee situation, where the vast majority was residing in DRC.[174] The next year, UNHCR, DRC and Rwanda signed a Tripartite Agreement on Voluntary Repatriation to further encourage returns.[175]

In 2011, Rwandan refugees living in DRC continued to voluntarily return home after hearing from friends and relatives who returned earlier. In one week in July, the Ministry of Disaster Management and Refugee Affairs received 130 Rwandans from DRC through its two transit camps in the Western Province. According to returnees, they had been reluctant to return home due to misinformation from disgruntled

[171] Human Rights Watch. "Rwandan Refugees Ordered Out of Congo."
[172] The New Humanitarian. "Refugees in DRC opting to go back home." (2009). Available at: https://www.thenewhumanitarian.org/report/82918/drc-rwanda-refugees-drc-opting-go-back-home.
[173] Ibid.
[174] Republic of Rwanda. "More Rwandans Have Voluntarily Returned from the DRC." Ministry in Charge of Public Management. (2022). Available at: https://www.minema.gov.rw/news-detail/more-rwandans-have-voluntarily-returned-from-the-drc.
[175] UNHCR. "UNHCR, DR Congo, and Rwanda discuss voluntary repatriation, and durable solutions for returning refugees." (2023). Available at: https://www.unhcr.org/africa/news/press-releases/unhcr-dr-congo-and-rwanda-discuss-voluntary-repatriation-and-durable-solutions.

colleagues that the government would suppress and kill them. Between January and July 2015, 5,000 refugees returned.[176]

The removal of refugee status for Rwandans abroad came into effect in June 2013, providing further incentives to return.[177] Rwanda and UNHCR contended that the genocidal violence and harsh repression that forced thousands of Rwandans to flee their country between 1959 and 1998 had ended, making Rwanda safe for return. The UNHCR-invoked "Cessation Clause" as part of renewed attempts to bring refugees 'home' from neighboring countries, despite reports of increasing State-sanctioned persecution in Rwanda and beyond.[178] Further initiatives such as "Come and See" and "Rwanda Day" in various countries were also launched in a bid to get Rwandan refugees to return to their home country.[179]

As a result of the Cessation Clause, Rwandan refugees opted to return through UNHCR assistance. Two days before the Cessation Clause came into effect on June 30, 171 Rwandan refugees were received in Nkamira Transit Centre in Rubavu District. The returnees included women and men who came from various locations of the Eastern DRC where they have spent more than 19 years in exile. According to returnees, the fact of living in inaccessible areas where they could hardly get informed about their country kept them in ambiguity of thinking that Rwanda was like they left it in 1994. They said they received information regarding the peace and security in Rwanda from those who returned previously from Rwandan radio stations. Independent return was further complicated as those caught plans to leave were threatened by FDLR militias. Most returnees stated that they were facilitated to reach UNHCR by MONUSCO soldiers while others left clandestinely for fear of being persecuted.

Between January and June 2013, more than 3,000 Rwandan refugees returned from DRC.[180] According to UNHCR, by 2013, all but an estimated 100,000 of the 3.5 million Rwandans who became refugees in the wake of the genocide had returned to Rwanda, "owing to lasting peace and stability in their country."[181] However, critics argued that this process of bringing refugees 'home' included forced repatriation and denationalization. Refugees who did not return to Rwanda risked the consequences of de facto statelessness outside their country of origin, while political dissidents abroad face de jure statelessness as punishment for criticizing President Kagame and the RPF.[182]

2015 - 2022: Continued pressure to return

Repatriations from DRC continued. Ninety one Rwandans left in one day in July via Rubavu district at the western border of Rwanda. Some were families of FDLR militias, and feared that they would face death threats in Rwanda. In the last six months of 2015, 2,500 Rwandans returned from DRC. Those who

[176] The New Times. "130 refugees return from DRC." (2011). Available at: https://www.newtimes.co.rw/article/57502/National/130-refugees-return-from-drc.
[177] Victoire Ingabire Umuhoza. "Rwanda is no refuge for UK asylum seekers."
[178]Lindsey N Kingston, Bringing Rwandan Refugees 'Home': The Cessation Clause, Statelessness, and Forced Repatriation, International Journal of Refugee Law, Volume 29, Issue 3, October 2017, Pages 417–437. Available at: https://doi.org/10.1093/ijrl/eex030.
[179] Victoire Ingabire Umuhoza. "Rwanda is no refuge for UK asylum seekers."
[180] Government of Rwanda. "171 Rwandan refugees return from DRC." (2013). Available at: https://reliefweb.int/report/rwanda/171-rwandan-refugees-return-drc.
[181] Human Rights Watch. ""Join Us or Die - Rwanda's Extraterritorial Repression."
[182] Lindsey N Kingston, Bringing Rwandan Refugees 'Home': The Cessation Clause, Statelessness, and Forced Repatriation.

returned were provided food, basic home kits, clothes, and an allowance for three months. After the three month period, the local government supported the returnees through existing social mechanisms.[183]

In November 2016, The Ministry of Refugees and Disaster Management (MIDIMAR) and the UNHCR reiterated that the refugee status for Rwandan refugees would cease on December 31, 2017. UNHCR Representative in Rwanda Mr. Saber Azam stated that "Rwanda is a safe and the best place to live so there is no need to have refugees stay outside." He encouraged Rwandans abroad to "use the time left to access the resources earmarked by the Government of Rwanda and UNHCR for supporting returnees." MIDIMAR and UNHCR stated that 5000 Rwandan indicated their desire to return home that year. At that time, 20,784 refugees had returned home since the Cessation Clause came into effect.[184]

As of 2017, UNHCR helped repatriate 18,075 Rwandan refugees through 95 assisted convoys. Voluntary repatriations had gradually increased, particularly from North and South Kivus. The overall initial planned target of 5,000 repatriated by end 2017 was reviewed and increased to 10,000 people. A significant increase in the number of voluntary repatriations was seen due to the dissemination of information concerning the invocation of the Cessation Clause, as well as the broadcasting of information about voluntary repatriation through eight radio stations. The go-and-see program also allowed refugees to speak with returned Rwandans, who informed their compatriots in DRC of the positive reception and important structural changes in Rwanda. By the end of the year, a total of 12,184 out of the 10,000 planned Rwandans for voluntary repatriation were provided with safe and dignified returnee transport.[185]

Conflict in DRC continued to encourage repatriation. In December 2019, the DRC repatriated 291 members of the Rwandan rebel group known as CNRD based in Congo. They were captured in South Kivu Province while fighting with the Congolese military. The next year, a total of 1,919 Rwandan refugees repatriated from DRC following a Congolese military offensive against armed groups in the east of the country. Most of the repatriated were civilians, but some were former combatants.[186]

The Government of Rwanda continues to receive returnees from DRC. In one day in July 2022, over 100 returnees were hosted in Kijote Reception Centre located in Nyabihu District, Bigogwe Sector, where they received return assistance including support funds, food items for three months, registration for national identity card and community-based health insurance for one year. From 2017 until 2022, Rwanda received 15,643 returnees mainly from the DRC.[187]

Despite pressures to return, some Rwandans were still reluctant to leave DRC. According to the UNHCR, there were still more than 200,000 Rwandan refugees in the DRC in 2022.[188] The devastating memories of the civil war, the absence of a comprehensive reconciliation policy, persistent poverty and deep inequality, and political persecution and oppression discouraged their return.[189] The Rwandan government continued

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[183] Jean De La Croix Tabaro. "Ninety-one Rwandans return from DRC." *KT Press*. (2015). Available at: https://www.ktpress.rw/2015/07/ninety-one-rwandans-return-from-drc/.
[184] Government of Rwanda. "Cessation Clause deadline closing in." (2016). Available at: https://reliefweb.int/report/rwanda/cessation-clause-deadline-closing#:~:text=As%20a%20result%20of%20the,and%20reintegrated%20into%20the%20community.
[185] UNHCR. "Voluntary Return." (2017). Available at: https://reporting.unhcr.org/voluntary-return-25.
[186] Ibid.
[187] Republic of Rwanda. "More Rwandans Have Voluntarily Returned from the DRC."
[188] Victoire Ingabire Umuhoza. "Rwanda is no refuge for UK asylum seekers."
[189] Victoire Ingabire Umuhoza. "Rwanda is no refuge for UK asylum seekers."

to exert pressure on governments in the region to cooperate in repatriations.[190] UNHCR maintained that the number of Rwandans living in Africa dropped from 1.8 million in 1995 to 69,000 in 1998 and that the "majority of the Rwandan refugees had returned home spontaneously." However, this trend of declining Rwandans abroad holds up only if UNHCR excludes the figure of Rwandans living in DRC, which UNHCR maintains is an "estimate" promulgated by the government of DRC.[191]

Afghan Repatriation from Iran and Pakistan, Analysis of Perspectives, 1989-2022

Repatriation of Afghan Refugees from Iran

Prior to 1989: Basis for presence of Afghan migrants in Iran

Afghanistan has been a country of migration for centuries, particularly for inhabitants traveling to the neighboring country of Iran. The oil boom in 1973 led many Afghan labor migrants to Iran seeking higher wages (Stigter, 2006). Due to this influx, several hundred thousand Afghan people were present in Iran prior to the Soviet invasion that would occur a few years later (Kronenfeld, 2008).

Following Soviet attacks in 1979, millions of Afghan people fled to Iran en masse. This was the first large-scale exodus of Afghan migrants. This ten year conflict would lead to regular outflows of migrants over this time (Stigter, 2006). The geographical proximity, and religious, cultural, and linguistic similarities made Iran a clear choice for those fleeing Afghanistan. Between 1979 and 1989, about 2.6 million Afghans crossed the border to Iran (Ashrafi & Moghissi, 2002).

Sentiment
Afghan migrants were welcomed by the Iranian government, who benefited from their cheap labor. From 1979 until 1992, the Iranian government automatically gave most Afghan migrants the right to remain indefinitely (Ashrafi & Moghissi, 2002). Prior to 1992, the Iranian government welcomed their Afghan neighbors and handed out "blue cards" which provided Afghan refugees in Iran access to education, healthcare, food and the permission to do low-wage labor (Mehlmann, 2011).

1990 - 1994: Returning to Afghanistan following resolution of Soviet conflict

[190] Human Rights Watch. ""Join Us or Die - Rwanda's Extraterritorial Repression."
[191] Ibid.

By 1990, over six million Afghans were displaced internally and in other nations. Afghans constituted one of the largest groups of displaced people in the world, and accounted for nearly half of those under the responsibility of the United Nations High Commissioner for Refugees (UNHCR) (Monsutti, 2006). In 1992, a second major migration out of Afghanistan occurred following the mujahideen victory in 1992. At this time, the urban and educated middle class fled from Afghanistan to Iran (Stigter, 2006).

The first formal repatriation program for Afghans was created after the fall of Afghanistan's communist government in 1992 by a Tripartite Agreement between Iran, Afghanistan, and UNHCR. During 1993, over 300,000 Afghans repatriated under this program, and close to 300,000 more returned "spontaneously" (Turton and Marsden, p. 12). From 1992 on, Iran began encouraging and pressuring Afghans to return to Afghanistan through various measures including the implementation of onerous procedures for renewing refugee papers, refusal to register newly arriving Afghans as refugees, and, increasingly, denial of public services to recognized refugees (Majidi 2017). Between 1992 and 1995, over 1.3 million Afghans returned from Iran to Afghanistan voluntarily, with nearly five out of every hundred Afghan migrants in Iran returning (Mehlmann, 2011).

Involvement of International Organizations in the Return Process: *Third Country Solutions for Afghans in Iran, 1999*
As the legal situation of refugees in Iran deteriorated, the UNHCR began to submit requests for resettlement to third countries in 1999, with a present average of 1,000 Afghan and Iraqi refugees resettled per year. The main resettlement countries were Australia, Canada, Sweden, and Finland.

Involvement of International Organizations in the Return Process: *Agreement Between the Government of the Islamic State of Afghanistan, the Government of the Islamic Republic of Iran and the United Nations High Commissioner for Refugees for the Repatriation of Afghan Refugees in Iran, 1992*
Iran created its first repatriation program with the Tripartite Commission. This program was a mutual agreement between Afghanistan, Iran, and UNHCR.

Sentiment
In the early 1990s, particularly after the fall of the communist government in Afghanistan and shifting domestic economic and social concerns in Iran, refugees began to be harassed by Iranian law

enforcement authorities and pressured to leave. Children were prevented from attending state schools, and identity cards were confiscated. Afghans without legal residence also faced beatings and extortion (Olszewska, 2008). By 1993, Iran issued only temporary registration cards to undocumented or newly arrived Afghans, labeling them as "panahandegan" which granted them a much lower status than it was the case with refugees of the first migration wave in 1979 (Turton & Marsden, 2002).

1994 - 2000: Forcible returns of refugees fleeing the Taliban

With the rise of the oppressive Taliban regime starting in 1994, major movements of Afghans to Iran began once again and continued until 2000 (Monsutti, 2006). During this time, Iran cracked down on efforts to return Afghan migrants home. In 1995, Iran sealed its border to Taliban-ruled Afghanistan and only issued one-way laissez-passer documents for migrants to travel out of Iran for repatriation or resettlement (Turton & Marsden, 2002). The Iranian government announced that all Afghans must leave to return home or "normalize their presence in Iran." By the end of the decade, Iran ceased to grant refugee status on a prima facie basis to new arrivals from Afghanistan, and engaged in deportation campaigns that returned around 190,000 undocumented Afghans. Some 100,000 undocumented Afghans were deported in 1999 alone (Olszewska, 2008).

Involvement of International Organizations in the Return Process: *Joint Programme for the Voluntary Repatriation of Afghans, 2000*
The Iranian government and UNHCR signed a repatriation agreement aimed at the return of documented and undocumented Afghan refugees. The International Organization for Migration (IOM) provided transportation. Undocumented Afghans who claim to need protection in Iran had their claims adjudicated by a joint government/UNHCR team. Those determined still to need protection were permitted to remain in Iran temporarily until conditions in Afghanistan permit their repatriation (United States Committee for Refugees and Immigrants, 2000).

2001: Afghan migrants flee to Iran following U.S. bombing campaign

The 9/11 terrorist attacks on New York and Washington put Afghanistan back into the international limelight (Turton & Marsden, 2002). A massive exodus of Afghan migrants to Iran followed the U.S. led bombing campaign and the fighting between the Taliban and the coalition forces in 2001. Despite these events, the Iranian government continued deporting Afghan migrants and discouraging them from remaining in the country (Stigter, 2006).

2002 - 2005: Return to Afghanistan following the fall of the Taliban

Following the U.S. invasion in 2001, the Taliban government quickly fell, and unexpectedly large numbers of refugees swiftly opted for return, overwhelming the ability of international organizations to process them and assist with logistical and humanitarian support (Willner-Reid, 2017).

Between 2002 and 2005, Afghanistan observed an unexpected large wave of repatriation. With the assistance of UNHCR, more than 800,000 Afghans returned from Iran. During the same period, the number of spontaneous returns from Iran (known to UNHCR) was about 570,000. This level of repatriation shows a degree of confidence in the recovering nation of Afghanistan, but also reflects expectations created by donor pledges to rebuild the country and the deterioration of living conditions in Iran (UNHCR, 2008).

New registration exercises, largely intended to facilitate repatriation and refugee management by standardizing refugee documents, were carried out by BAFIA in 2001 and 2003, but the cards issued in the latter exercise were only valid for three months for individuals and for six months for families. These also required periodic extension procedures (Olszewska, 2008).

Despite changes in Afghanistan's political situation after the fall of the Taliban, migrants continued to leave Afghanistan in late 2001 in search for better economic opportunities. The UK, Germany and many other EU countries remained the primary destination of choice. As a result, western countries were asked to turn away Afghan asylum seekers and instead to assist in their repatriation. In 2002, Afghanistan signed tripartite agreements with UNHCR and EU countries. All agreements or MoUs lay down the scope, objective, and modalities of repatriation. Tripartite agreements with Iran are reviewed and renewed on a regular basis (Mehlmann, 2011).

Involvement of International Organizations in the Return Process: ***UNHCR Assisted Voluntary Return Program, 2002***

UNHCR started its assisted voluntary return program for Afghan migrants in Iran between March and April. The UNHCR provision to provide assistance to returnees, especially cash grants to cover transport costs, resulted in an unknown number of "recyclers" signing up for repatriation and then returning to Iran after having collected the assistance package. 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. Official records of the number of returnees during this time accounts only for those who received assistance from the UNHCR, rather than those who repatriated and settled down in total. Consequently, the real figure of returnees may be much lower than officially recorded by UNHCR (Turton & Marsden, 2002).

Between April 2002 and the beginning of 2007, 848,311 Afghans returned from Iran under the repatriation programs, and almost the same number returned “spontaneously” without assistance. Most reports on the subject of refugees' attitudes to repatriation noted that, fearing continued fighting, ethnic tensions, a shattered economy, lack of security, work, education, and medical facilities, most were extremely ambivalent about returning, particularly those who had been in Iran for a long time and had become well-integrated into their neighborhoods (Olszewska, 2008).

In April 2007, the Iranian government launched a campaign to deport undocumented Afghans on an unprecedented scale. By June 2008, about 490,000 had been arrested, kept in deportation camps for days, and then expelled from the country. In the process, families were reportedly separated, people were beaten, abused, or told to pack their belongings at an hour's notice, and, in a minority of cases, women and children were deported without their families. The humanitarian crisis precipitated by these actions led to the sacking of two ministers from Afghanistan's cabinet, but remained mostly unremarked outside the country (Olszewska, 2008).

2006 - 2010: Dwindling returns to Afghanistan

As of the beginning of 2004, 1.4 million documented refugees remained in Iran (UNHCR, 2004), a figure which had fallen to just over 900,000 by 2007 (Olszewska, 2008) due to the voluntary repatriation program carried out jointly by the UNHCR and the Iranian government. While many refugees returned due to attractive assistance programs forwarded by UNHCR and the Iranian government and steps taken towards security and reconstruction in Afghanistan, repatriation rates leveled off between 2006 and 2010 (Olszewska, 2008).

The average daily number of Afghans being deported from Iran decreased from 2,000 in 2007 to 785 in 2010. However, an equal number of Afghans was estimated to (re)enter Iran illegally on a daily basis in the hope of finding employment (Koepke 2011). Overall, one million Afghans returned from Iran spontaneously and a little more than one million was deported between 2002 and 2009 (Mehlmann, 2011).

By 2011, over five million Afghans had returned from Iran. As many as one in three people living in Afghanistan during this time was considered a returnee. The reason behind these migration movements from Iran to Afghanistan were diverse, as those who repatriated often had several reasons to do so. Some returned for socioeconomic reasons, or to flee violence and environmental hazards. Many Afghan

refugees in Iran could no longer afford to live in the country. The Iranian government started to cut off subsidies for food, fuel and other commodities for Iranian and Afghan families alike (Mehlmann, 2011).

Of those five million who have returned to Afghanistan, the majority was not able to return to their original home. Afghans returned to find the areas of their home were still under attack or that "land grabbing" occurred, meaning that their land was illegally acquired by individuals in power. Many returnees found themselves in a stage of second displacement, trying to find shelter and employment elsewhere in the country. In addition, the lack of security, economic opportunities, and social services continued to impose considerable barriers for Afghan reintegration. These issues can be noted through the decreasing number of returnees after 2005. The number of Afghan migrants repatriating has continuously declined since this time (Mehlmann, 2011).

Although linkages between the Afghan state and the people remain quite weak, people's expectations of the Afghan state generally increased during this period due to regime change and international intervention. A study by the Asia Foundation (2010) showed that the satisfaction rate of Afghans towards their government was relatively high in 2010. However, the numbers have yet to reach the highest satisfaction figure which was 80% in 2007 (Tariq, Ayoubi & Haqbeen, 2010). In spite of these figures, it should not be forgotten that elections in Afghanistan were erceived with mistrust and criticism. Severe irregularities during voting and counting procedures, inadequate candidate vetting mechanisms, voter intimidations, and poor perceptions towards the police and security continue to undermine the state's legitimacy (Mehlmann, 2011).

2011 - 2013: Changes in understanding Afghans in Iran

A decade after the 2001 invasion, with new returns at an all-time low, refugee reintegration began to slip off the agenda of development donors who sought to align their programming ever more closely to Afghanistan's National Priority Programs (which did not focus on reintegration). Meanwhile, humanitarian donors began to shift their attention away from returns and toward the growing problem of internal displacement (Willner-Reid, 2017).

The stabilization of the Afghan government after 2011 and the worsening economic condition in Iran further contributed to a change in how Afghan refugees were

Involvement of International Organizations in the Return Process: *Combating "brain drain"*
International organizations such as the IOM and World bank actively encouraged and supported Afghans abroad to return to their home country to combat "brain drain." IOs sought to fill skills gaps in the Afghan government and public services, invest in the private sector, assist with the post-conflict reconstruction of Afghanistan (Oeppen, 2009). By 2011, a total of 846 Afghan experts living abroad have returned to Afghanistan from 32 countries under IOM's assistance (Mehlmann, 2011).

understood and regarded. The high numbers of Afghan returnees demonstrated to various stakeholders (such as Iran, UNHCR and the donor community) that the burden of hosting and supporting a large population of Afghan refugees was less than before (Mehlmann, 2011).

The profile of Afghan migrants at this time was different from those who had returned following the fall of the Taliban regime. The great majority of the individuals remaining in Iran had been in exile for more than two decades. After twenty years in Iran, the decision to permanently return was a major one – most returnees depended on their relatives and other social networks for their social and economic reintegration. As most of the poorer families did not have these resources, they depended on the assistance provided by local and international organizations to return, particularly with regard to water and shelter in Afghanistan (UNHCR, 2008a). During this period, the volume of temporary returns to Afghanistan from Iran linked to seasonal labor and trade grew (Mehlmann, 2011).

Involvement of International Organizations in the Return Process: *Voluntary repatriation through UNHCR, 2011*
Over 17,000 of returnees from Iran returned home under the UNHCR's voluntary return operation by October. This number of returns is twice that the number of returns in 2010, where around 7,500 Afghans were assisted home. UNHCR stated this increase likely a result of economic pressures and the discontinuation of subsidies on basic goods and services by the Iranian government (UNHCR, 2011).

Since 2012, Afghanistan, Iran and Pakistan have pursued a regional approach – the Solutions Strategy for Afghan Refugees – to build an environment conducive to voluntary repatriation and sustainable reintegration in Afghanistan, while also easing pressure on host communities. UNHCR stated that the SSAR project was a a collaborative effort with the three countries and its partners, with a range of humanitarian and development projects across sectors (UNHCR 2020). Despite efforts to regularize the returns process, around 173,000 Afghans were forcefully returned in 2012. Over 103,086 more were deported in 2013 (Stanikzai, 2013).

Sentiment
In 2012, Iranian authorities increased pressure for Afghans to leave the country. The Iranian government ended registration in October for its Comprehensive Regularization Plan (CRP), which had permitted some undocumented Afghans to legalize their status and obtain limited visas. Shortly after, the Iranian cabinet of ministers issued a regulation allowing the government to expel 1.6

million foreigners “illegally residing in Iran” by the end of 2015. The regulation, approved at the vice presidential level, also instructed the Interior Ministry to facilitate the voluntary repatriation of an additional 200,000 Afghans legally classified as refugees and terminate the refugee status of another 700,000 Afghans. Iranian officials also ordered 300,000 Afghans living in Iran with temporary visas and temporary permission to work under the regularization plan to leave the country after the visas expired on September 6, 2013, with no chance of extension.

According to Human Rights Watch, Iranian authorities did not provide all Afghan refugees with an opportunity to legally claim asylum. Legal restrictions and bureaucratic obstacles effectively denied newly arriving Afghans the opportunity to lodge refugee claims or register for other forms of protection mandated by international law. Iranian policies also denied the opportunity to legally challenge deportation. While those born in the country were afforded UN-recognised refugee status, these Afghans only held a fraction of the rights granted to Iranian citizens. Many lived without residency documents and were forced to exist off the grid, making their living from the black market.

Human Rights Watch documented violations including physical abuse, detention in unsanitary and inhumane conditions, forced payment for transportation and accommodation in deportation camps, forced labor, and forced separation of families. A particular concern was Iranian security forces’ abuses against unaccompanied migrant children, a sizable portion of Afghan migrant workers and deportees.

According to HRW, the Iranian government also failed to take necessary steps to protect its Afghan population from physical violence linked to rising anti-foreigner sentiment in Iran, or to hold those responsible accountable. Iranian authorities were “behaving very badly with the deportees," said Naik Mohammad Azamy, head of the UNHCR office in Islam Qala. "Maltreatment is common, and abuse for all of them.” (HRW 2013).

Iran denied the allegations of abuse and says it has forced laborers back home because the 1.5 million undocumented Afghan migrants are a burden on its economy. Ambassador Mohammad R. Bahrami stated that abuse accusations were propaganda. “We believe there are huge rumors inside Afghanistan because many Afghan refugees don't want to return to their country. They mention many things, but most of them are not reality . . . About 1.5 million illegal migrants live in Iran on top of 950,000 registered Afghan refugees. Some go legally and carry on with their lives after their passports expire, while others pay to be smuggled by human traffickers.” Also according to Bahrami, Afghan migrants damaged Iran's subsidized health care and basic infrastructure.Bahrami said deportations would continue until a "suitable conclusion to our project" (National Council for Resistance of Iran, 2007).

2014 - 2019: Voluntary repatriations stagnate as hardships in Afghanistan prevail

In a statement issued in 2015 during UNHCR's 66th meeting of the Executive Committee, member states pledged support to Afghanistan to create the conditions necessary for Afghan refugees to go back home and reintegrate in their country.

UNHCR estimated in 2015 that between 100,000 and 150,000 more registered Afghans could voluntarily return from Pakistan and Iran over the course of 2016. Under the leadership of President Ashraf Ghani, the National Unity Government repeatedly expressed a strong commitment towards welcoming Afghans home and established enhanced mechanisms for the coordination of return and reintegration activities in areas considered safe (UNHCR, 2015).

However, as security deteriorated in Afghanistan and the economy continued to struggle, voluntary returns gradually plummeted, falling from nearly 113,000 in 2010 to below 17,000 in 2014 (Willner-Reid, 2017).

As of May 2016, almost 130,000 undocumented Afghan refugees were forced to return to Afghanistan by the Iranian government. Voice Of America (VOA) reported that hundreds were sent home every day in line with Iran's target to send back 600,000 Afghans by the end of the year. Hafiz Ahmad Miakhel, spokesman for the Afghanistan Ministry of Refugees and Returnees, told VOA that 60-65 of these Afghans were deported voluntarily (TOLO News, 2017).

Involvement of International Organizations in the Return Process: *Support Platform Solutions Strategy for Afghan Refugees (SSAR), 2019*
Iran, Pakistan, UNHCR, and refugee representatives agreed on a program to ensure the dignified return and sustainable reintegration of Afghans in Afghanistan. SSAR was enacted to enhance coordination and and help ensure that humanitarian and development investments were closely aligned in the interests of refugees and local hosting communities. The platform also encourages a wider range of partners to commit themselves to contribute to solutions for Afghan refugees.

Sentiment
Human Rights Watch (HRW) and other watchdog organizations accused the Iranian government of severe maltreatment of Afghans during this time, including summary deportations, physical abuse at

the hands of security forces, limited job opportunities outside menial labor, and restricted access to education. In a 2016 interview with Aljazeera, 26 year old Masoomi Jafari explains that both codified and informal deportation practices would lead desperate Afghan migrants to return illegally. “Many Afghans were being deported and coming back illegally,” Masoomi says. “We saw it happening a lot to people we know” (Strickland, 2016).

2020: Afghan Peace Process and COVID-19

Voluntary returns to Afghanistan in 2019 were among the lowest recorded in years, but peace negotiations and the departure of U.S. troops in 2021 represented a watershed moment for the Afghan people. Yet, many Afghans in exile waited to see improvements in the situation before returning home. The majority of refugees in Iran cite several main obstacles to their return and sustainable reintegration in Afghanistan including a lack of access to livelihoods, land, shelter and basic services, as well as continued insecurity in Afghanistan (UNHCR 2020).

During the rise of COVID-19, the UNHCR urged greater support to Afghanistan and Iran in the context of the pandemic. Following the temporary reopening of Iran’s borders in March 2020, tens of thousands of Afghan citizens crossed into Iran daily. While the number of Afghans nationals returning to Afghanistan daily peaked at 60,000 in March, around 1,500 individuals returned each day by mid April. UNHCR has temporarily suspended supporting voluntary returns of refugees from Iran in an attempt to limit the risk of refugees and staff contracting the virus. UNHCR increased its capacity at Afghanistan’s borders to Iran to better support tracking and contact tracing of individuals crossing into the county. By April, the UNHCR stated that the risk of the pandemic became unmanageable and acute (UNHCR 2020a).

2021: Accepting migrants after the Civil War and rise of the Taliban

The Taliban failed to honor most of its pledges in the Afghan peace agreement (Zucchino 2021). In the ensuing months, the Taliban seized control of Afghanistan. As the Taliban seized control, the displacement of vulnerable Afghans became the third-largest in the world. The situation in Afghanistan became volatile, and necessitated sustained international support to ensure adequate emergency support for new arrivals and to continue helping Afghan persons of concern who are already in Iran.

UNHCR expressed during this time they were “profoundly concerned” by escalating risks faced by fleeing Afghans when pushed back by neighboring countries as the situation within Afghanistan

continued to deteriorate (UNHCR 2021). At this time, UNHCR began airlifting essential aid to Kabul for displaced Afghans (UNHCR 2021a).

As of 2021, Iran's land borders were open almost solely to those with the required passports and visas. The organization condemned escalating deportations of Afghans from Iran in contravention of UNHCR's non-return advisory. UNHCR estimated that between 3,000 and 5,000 Afghans were deported from Iran daily. UNHCR called upon authorities of all countries to immediately cease the forced return of Afghans, and ensure fair and efficient refugee status determination assessment. The organization noted that relevant Iranian national authorities had not yet implemented an accessible asylum system for newly arrived Afghans, which could contravene the principle of non-refoulement and constitute a serious breach of international law (Ratwatte, 2021).

In August 2021, the UNHCR released a non-return advisory for Afghanistan, calling for a bar on forced returns of Afghan nationals, including asylum seekers who have had their claims rejected, in the wake of the rapid deterioration in the security and human rights situation in large parts of the country and the unfolding humanitarian emergency. In cooperation with Iran's Bureau for Aliens and Foreign Immigrants' Affairs (BAFIA), UNHCR provided immediate assistance to new arrivals, including food and water. Together with other humanitarian actors, UNHCR prepared to provide urgent assistance and support reception arrangements (UNHCR 2021a).

By January 2021, 270,000 Afghans were newly displaced, bringing the total uprooted population to over 3.5 million. According to the UN Assistance Mission in Afghanistan, the number of civilian casualties rose 29% during the first quarter of the year compared to 2020. Prolonged conflict, high levels of displacement, the impact of COVID-19, recurrent natural disasters, and deepening poverty created a massive humanitarian crisis for fleeing Afghans. By this time, Iran granted access to territory and protection to Afghan refugees, along with health and educational services through national systems. However, humanitarian resources fell dramatically short during this crisis (UNHCR 2021c).

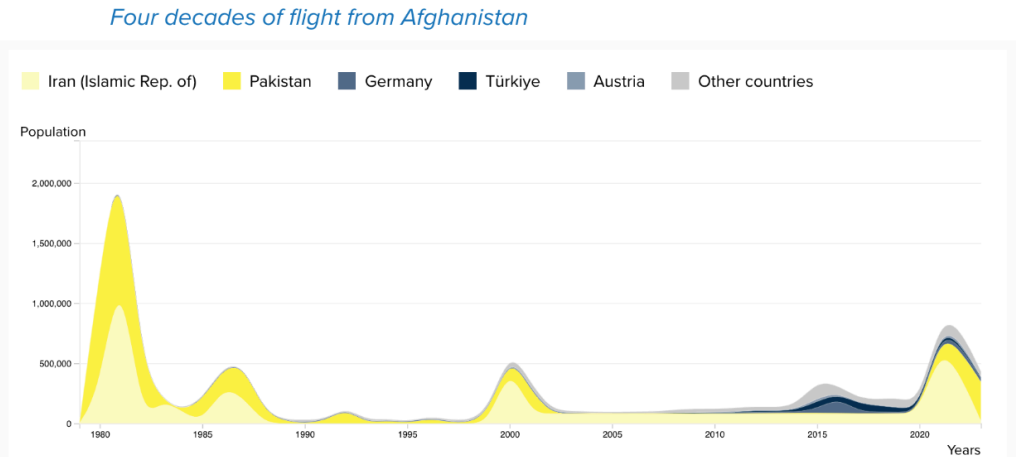
Data Sourced: (Mehlmann, 2011) & IOM "Movements in and out of Afghanistan" Infographic

2022 - Present: Repatriation to unsafe conditions

In 2022, only 376 refugees voluntarily returned to Afghanistan. This decrease is explained by the deterioration of the security in Afghanistan, as UNHCR continues to advocate for more third-country solutions for Afghan refugees (UNHCR, Refugees in Iran). However, over 600,000 Afghans living in Iran were forcibly returned to Afghanistan in 2022 (Adeeb, 2022).

At least 450,000 refugees without requisite legal documents, mostly from Afghanistan, have been repatriated from Iran in the last three months according to officials. Javad Khani, an official at Iran's National Migration Organization, was quoted as that the individuals who have been deported had "illegally entered" the country and their repatriation is being carried out in eight provinces based on a "comprehensive plan." Khani, in his remarks, considered the blocking of border crossings as one of the measures being considered by Iranian authorities to deal with the entry of illegal migrants.

Amid the repatriation of Afghan refugees, a delegation of the de-facto Taliban government in Kabul led by Deputy Prime Minister Mullah Abdul Ghani Baradar visited Tehran earlier this month. While the visit primarily focused on the expansion of trade ties between the two countries, sources say the issue of the repatriation of Afghan refugees from Iran also figured in discussions (Mehdi, 2023).



UNHCR. “Refugees in Iran.”

Iranian Leaders on Afghan Repatriation

1979-1989

From Afghan independence in 1919 until 1979, Iran's relations with Afghanistan were friendly. During the 1979-1989 Soviet occupation, Iran called for a Soviet withdrawal and aided Afghan Shiites. Iran condemned the Soviet occupation of Afghanistan and demanded its withdrawal, but was cautious not to antagonize the Soviet Union. Iranian officials saw the Soviet Union as a counterweight to the U.S. influence in the region (Milani, 2010).

Iranian leaders were concerned about the spread of Saudi "Wahhabism," which Ayatollah Khomeini called, "America's Islam." During this time, Iran's Afghan policy was Shiite-centric. Iran supported over 1.5 million Afghan refugees who fled to Iran, many of them Hazaras (Milani, 2010). An influential segment of Iranian leaders sought to redefine Iran as an entity with looser boundaries representing the interests of all downtrodden Muslims (Siavoshi, 2022).

Iran’s open-door migration policy during this period fits this *raison d’état* goal. Afghans fleeing the invading Soviet army were welcomed as Muslim kin and were practically granted indefinite stay in Iran. They were entitled to health care, education, food and fuel rations, and opportunities for employment and

investment. They were permitted to find employment and buy houses. Iran pursued this open-door policy while the country was engaged in a devastating war and without financial assistance from other nations and organizations. The Ayatollah Khomeini declared in a speech that it was Iran's religious duty to open their arms and provide for the displaced Afghans (Siavoshi, 2022).

Although Iran is a signatory to the 1951 Refugee Convention, officials did not grant the Afghans fleeing the Soviet occupation refugee status (*panahandeh*) and instead classified them as "involuntary religious migrants" (*mohajerin*). Indeed, the term *mohajerin* was more dignified than panahandeh in post-revolutionary Iran (Alfoneh & Majidyar, 2010).

1989 - 1992

The passing of Khomeini, the conclusion of the Iran-Iraq war, and the election of Hashemi Rafsanjani to the presidency brought gradual changes in the views of Iranian officials towards the migration policy of the state. The new administration saw the survival of Iran to be dependent upon robust and defined borders (Siavoshi, 2022).

However, the continued desire for cheap labor, something that many Afghan migrants could provide, buttressed against complete removal of Afghan migrants. The result was the end of the open-door policy without drastic expulsion/repatriation plans. In 1989, the Bureau for Aliens and Foreign Immigrants Affairs (BAFIA), facilitated this new path and was the first practical step towards institutionalization of migration policy (Siavoshi, 2022).

In 1991, a representative of the U.S. Committee For Refugees in Washington reported that Iranian law guaranteed Afghan refugees in Iran reasonable freedom of movement (19 Aug. 1991). However, in practice, Afghans needed the permission of local authorities to travel freely, and received little assistance from the government, and in the event of a deportation, did not benefit from any effective rights to appeal deportation procedures (Research Directorate, Immigration and Refugee Board, Canada, 1991). Registered Afghans still received heavily subsidized state food, health and education packages and many refugees, including women, found local employment (UNHCR, 1997).

In 1992, Rafsanjani sought a more restrictive immigration approach. The tangible shift started in December 1992, with the signing of a tripartite repatriation agreement with the Afghan government and the UNHCR. The timing of this agreement had much to do with major changes in Afghanistan; in the eyes of Iranian officials, returning Afghans with a sympathetic view toward Iran would have influence in shaping the new Afghan political system and could reduce the danger to Iran's security from the east (Siavoshi, 2022).

In conjunction with this agreement, Rafsanjani's administration put in place a set of measures to limit the number of refugees. This included halting the prima facie registration of newly arrived migrants as refugees, withdrawing many of the early generous social services, putting restrictions on categories of permitted jobs, and pursuing a policy of repatriation (Siavoshi, 2022).

After the fall of the communist government of Najib-Allāh in Afghanistan in 1992 and shifting domestic economic and social concerns such as unemployment in Iran, refugees began to be harassed by Iranian law enforcement authorities and pressured to leave. Children were prevented from attending state schools, and identity cards were confiscated. Afghans without legal residence also risked mass deportation, beatings, and extortion (Olszewska, 2008).

1996 - 2001

When the Taliban seized power in 1996, Iranian leaders refused to recognize the government and instead provided military support to the Northern Alliance opposition. Independently, and through work with the United Nations, Iranian officials called for peaceful resolution of the conflict. However, the Rafsanjani administration had neither the diplomatic skills nor the resources to bring peace to Afghanistan (Milani, 2010).

Iranian support for the Northern Alliance, the Taliban's most formidable rival, created serious animosity between Tehran and Kabul. They severed diplomatic relations in 1997. At the same time, there were virtually no refugees heading eastward. The Iranian government dug a huge ditch along the common border, to stop the flow of drugs along with thousands of Afghans trying to cross illegally into Iran (Milani, 2010).

Up until 1997, Iranian leaders were fiercely proud of their ability to handle the refugee influx and consequently limited both the international and NGO presence in the country (Milani, 2010). However, as the refugee situation proved too dire to shoulder, the Iranian government welcomed a larger role by outside agencies. UNHCR was particularly keen to provide increased assistance to non-camp populations, which form the bulk of the Afghan refugees in Iran (UNHCR, 1997).

Iran was frustrated with the ongoing instability in Afghanistan and the potential repercussions for the region. Officials had hoped that under the 1992 repatriation agreement, most refugees would have returned within three years. Instead, Iran continued to host the largest refugee population in the world. Iranian leaders feared Afghanistan would begin exporting terror campaigns and a brand of radical Islam hostile to its own Shiite beliefs. To complicate the situation further, Iran's once booming economy slowed down (UNHCR, 1997).

All of those developments impacted refugees. Movement within Iran became more restricted and Afghans were increasingly confined to designated residential areas. The authorities tightened up on the issue of identity documents and the length of time Afghans are legally allowed to stay in-country. Some benefits were trimmed or halted. Refugees generally worked in basic jobs such as construction, agriculture or embroidery, but work in these fields became restricted and difficult (UNHCR, 1997).

All of these factors produced an anti-Afghan backlash among some Iranians. In 1997, the Iranian government denied undocumented Afghan children the right to attend schools (UNHCR, 1997).

The year 2000 marked a legal turning point for Afghan refugees when Iran passed a law known as "Article 48" as part of the government's five-year development plan. The law established the parameters for the repatriation of Afghan refugees, through a process administered by BAFIA. All Afghans without work permits were required to leave, unless they could demonstrate that they would face physical threats on return (Olszewska, 2008).

Beginning in November 2000, the Iranian leaders demonstrated their unwillingness to accept new flows of refugees by officially closing their borders with Afghanistan. This was an extreme step and one that Human Rights Watch has consistently and sharply criticized; such border closure policies are directly contrary to international standards, most fundamentally because they interfere with the right to seek asylum (Human Rights Watch, 2022).

In order to prevent forced repatriation and safeguard against refoulement, UNHCR negotiated a repatriation plan in conjunction with BAFIA, which began on April 8, 2000. Those who had been found to be in need of protection were only "permitted to remain temporarily in provinces determined by the Iranian government until such a time as the situation is conducive for their return." The permits issued in pursuit of this policy restricted the movements of refugees to one province (Olszewska, 2008).

This repatriation scheme raised a series of concerns. UNHCR asked Iran to apply the Refugee Convention definition of who was in need of refugee protection. Instead, certain groups, in particular the educated and politically active, were singled out for protection, excluding many uneducated farmers subject to persecution in Afghanistan on religious or ethnic grounds. NGO observers charged that Afghans who repatriated outside the UNHCR program were coerced into leaving, although the government insisted these were spontaneous returns (Olszewska, 2008).

In July and August, Afghans in Iran organized protests against the continuing deportations and denial of the right to work; Iranians who believed that Afghans were responsible for unemployment and economic

problems met the protests with a xenophobic and violent backlash. In August, further demonstrations by Afghans called upon the government and UNHCR to delay repatriation (Olszewska, 2008).

2001 - 2004

Following September 11 all formal repatriation programs were suspended, but deportations and push-backs continued. The level of international aid and focus on the region following the U.S.-lead bombing campaign on October 7 was not enough to convince Iranian leaders to open their borders or provide legal protection to a greater number of refugees. The previous failure of the international community to provide sufficient support to Iran in meeting the needs of Afghan refugees may well have contributed to these increasingly hardline policies (Olszewska, 2008).

Instead of allowing refugees to enter its territory, Iran supported the establishment of camps on the Afghan side of the border. Iran indicated that it would provide humanitarian assistance to refugees, but only inside Afghanistan (Olszewska, 2008).

November brought increasing numbers of arrivals to the border areas with Iran. Iran's interior minister, Abdolvahed Musavi-Lari, asserted that it was ". . .practically impossible to accept new refugees. It is better and more efficient to provide the refugees with assistance inside their home country for humanitarian reasons" (Olszewska, 2008).

Government statements repeatedly associated unemployment, crime and drug problems in Iran with Afghan refugees in the country. In March 2001, an Iranian labor ministry official was quoted as saying that the repatriation of Afghans would solve "a major part of the existing unemployment problem for unskilled workers" in Iran. Iran's interior minister said that "the Afghans have taken away some 900,000 job opportunities, while Iran is confronted with an unemployment rate of 14 percent" (Olszewska, 2008).

Despite official statements to the contrary from Tehran, Iranian officials returned Afghans who had managed to cross the border during the last months of 2001. These returns also undermined previous assurances that Iran had given to UNHCR that refugees who were in need of protection would be allowed to remain temporarily in Iran (Olszewska, 2008).

When the U.S.-backed Northern Alliance ended Taliban rule, Iran developed friendly relations with the Karzai administration in Afghanistan. Iranian leaders forwarded reconstruction efforts in Afghanistan, continued supporting its traditional allies, and pressed for the withdrawal of all foreign troops from the country (Milani, 2010).

The collapse of the Taliban along with Iran's dwindling absorption capacity in the face of high unemployment occasioned yet another push for repatriation through a second tripartite agreement in 2002 (Siavoshi, 2022). With the fall of the Taliban's regime and the inauguration of a Western-backed government in Afghanistan, the Iranian government took a tough line with the Afghan refugees. "It is now time for them to return," stated Ahmad Hosseini in March 2002, the senior Interior Ministry official dealing in refugee affairs. "Registered Afghan nationals will be gradually repatriated in a two-year program." Unregistered Afghans were given six months to leave Iran (Alfoneh & Majidyar, 2010).

In April 2002, Iran signed a trilateral agreement with Afghanistan and the UNHCR to facilitate repatriation of Afghans. Iran had grown increasingly disenchanted about hosting such large refugee populations in the face of minimal international interest, financial support, or burden sharing (Human Rights Watch, 2022) .

Soon after, the central government issued a document, "The Regulation for Accelerating the Pace of Afghans Repatriation.' This declaration spelled out guidelines for regularizing and speeding up the process, and signaled the Iranian leaders' intent to intensify its restriction through securitization of immigration. Parts of such a hardening of immigration policy were due to the rapid increase in drug trafficking from Afghanistan, an activity that the Iranian state construed as a grave threat to Iran's national security (Siavoshi, 2022).

In 2004, through a labor regulation, the administration restricted most Afghan refugees to four menial low-level occupational categories. Limiting Afghans to low-skilled, low-paid jobs did not have a serious negative effect on this segment of unemployed Iranians. It did, however, satisfy employers in perpetual search for cheap labor, offered more readily by the most vulnerable migrants (Siavoshi, 2022). Also beginning in 2004, Afghan children could no longer attend state schools without paying a substantial fee or sit for university entrance examinations in Iran (Olszewska, 2008).

2005 - 2010

Though many of these restrictive policies towards Afghan migrants were adopted during Khatami's presidency between 1997 and 2005, the severity of restrictive measures markedly increased under the populist administration of Ahmadinejad (Siavoshi, 2022).

With Mahmoud Ahmadinejad's ascent to power in August 2005, the Iranian government stepped up forcible repatriation of Afghans. On March 12, 2006, Hosseini announced that 350,000 Afghans had been forcibly repatriated in 2005 and warned that the Iranian government would apply "new measures" against Afghans who resisted (Alfoneh & Majidyar, 2010).

Iran, Afghanistan and the office of the UN High Commissioner for Refugees signed a deal in June 2005 to extend a joint program for voluntary repatriation of Afghan refugees. The joint program is a second extension of the agreement between the three parties to facilitate the voluntary and gradual repatriation of Afghan refugees in Iran, according to a press release. President Mahmoud Ahmadinejad conferred with a UNHCR representative Antonio Guterres on the plight of Afghan refugees in Iran (IRNA, 2005) .

In April 2007, the Iranian government launched a campaign to deport undocumented Afghans on an unprecedented scale (Olszewska, 2008). The government deported around 100,000 Afghans and banned non-citizens, particularly Afghans, from certain provinces and cities, a measure adopted by more and more regions in later years. Meanwhile, the administration successfully opposed the efforts of some lawmakers to provide citizenship for children of Iranian mothers and Afghan fathers (Siavoshi, 2022).

Ahmadinejad's administration took additional restrictive security measures by tightening border controls in the eastern part of the country and setting up detention camps to regulate, register, and control migrants. Armed with the technology of biometric identification, the government put into effect a more intrusive migration surveillance system. These measures were accompanied with periods of actual or threats of mass repatriation/deportation (Siavoshi, 2022).

The timing of the massive expulsion in 2007 coincided with the increasingly tough international reactions to Iran's nuclear programme. In March 2007, the United Nations Security Council passed another sanction resolution against Iran. The increased tension heightened concern in Iran about a possible US attack being launched from the nearby strategic airfield of Shindand in western Afghanistan. Therefore, when Iran intensified deportation of Afghan in 2007, many suspected that Iran was using Afghan migrants as a tool to put pressure on the Afghan government to oppose the use of the airfield for an attack by the US or to create disturbances in that part of Afghanistan to complicate any preparations for such an attack (Siavoshi, 2022).

Additionally in 2007, Afghans were banned from living in certain Iranian provinces and cities, such as border towns in the east. They were banned from the southwestern Kohgiluyeh va Boyerahmad province in July 2007 and the Caspian littoral Gilan province in May 2008. The government also imposed education and employment restrictions on Afghans (Alfoneh & Majidyar, 2010).

Ambassador Mohammad R. Bahrami stated that accusations regarding migrant abuse were propaganda during this time. "We believe there are huge rumors inside Afghanistan because many Afghan refugees don't want to return to their country. They mention many things, but most of them are not reality . . . About 1.5 million illegal migrants live in Iran on top of 950,000 registered Afghan refugees. Some go

legally and carry on with their lives after their passports expire, while others pay to be smuggled by human traffickers.” Also according to Bahrami, Afghan migrants damaged Iran's subsidized health care and basic infrastructure. Bahrami said deportations would continue until a "suitable conclusion to our project" (National Council for Resistance of Iran, 2007).

In December 2008, Karzai sent a delegation to negotiate a settlement over the refugee issue. Iranian parliament speaker Ali Larijani told the visiting Afghan delegation, “After seven years, the presence of foreign forces in Afghanistan has not only failed to bring security and stability, but has undermined security and increased extremism.” Iranian officials eventually agreed to suspend expulsions, but only until spring . Forced evictions continued over subsequent years, and, in January 2008, Taghi Ghaemi, Hosseini’s replacement at the Interior Ministry, threatened the 1.5 million “illegal Afghans” in Iran with “five years of imprisonment” or “internment in camps” if they refused repatriation (Alfoneh & Majidyar, 2010).

Iranian leaders justified their deportation schemes by noting the problems Afghan refugees caused in Iran: unemployment, drug trade, and related criminal activity in the Iranian border provinces. Afghan officials, however, alleged that Iran was using the refugees as a destabilizing political tool against Afghanistan. In March and April 2010 alone, Iran deported some thirty thousand Afghans to Herat through the Islam Qala border crossing. On May 10, 2010, Amrullah Sultani, top official for Afghan refugees and returnees in Nimruz, said the Iranian government had expelled over sixty thousand Afghan refugees to the province over two months without coordinating with the provincial officials. According to The American Enterprise Institute, Iran systematically used forcible repatriation of Afghan refugees and migrant workers to spark a humanitarian and security crisis in the western parts of Afghanistan to “demonstrate to Kabul that the key to western Afghanistan’s security was Tehran, not in Washington, D.C” (Alfoneh & Majidyar, 2010).

In 2010, Frontline reporters Amir Bagherpour and Asad Farhad interviewed a key advisor to Afghan President Hamid Karzai about Iranian influence in the country. "They are highly involved officially and unofficially," he acknowledged. "I do not think this government can succeed unless Iran is at the table." The advisor illuminated a relatively positive Afghan view of Iran nonetheless. "Although there is some animosity toward the Iranians, it is far less than any animosity shown toward Pakistan and perhaps America” (Bagherpour & Farhad, 2010). At this time, there was a recognition among Afghan leaders that Iranian officials hoped for stability in Afghanistan. Iranian leaders supported the government of Karzai, and continued to contribute to Afghanistan's reconstruction and its fight against drug trafficking (Milani, 2010).

2011 - 2019

A decade after the 2001 invasion, new returns were at an all time low. Many humanitarian donors began to shift their attention away from assisting returns and toward the growing problem of internal displacement in Afghanistan (Willner-Reid, 2017).

In 2012, Iranian authorities increased pressure for Afghans to leave the country. The Iranian government ended registration in October for its Comprehensive Regularization Plan (CRP), which had permitted some undocumented Afghans to legalize their status and obtain limited visas. This threat by the Ahmadinejad administration to expel Afghan migrants is understood as being linked to the prospect of a military agreement between the US and Afghanistan. The state downsized BAFIA during this time by outsourcing some of its administrative functions to other bureaus in areas such as employment, residency, education, and marriage (Siavoshi, 2022).

Around this time, the Iranian Cabinet of Ministers issued a regulation allowing the government to expel 1.6 million foreigners “illegally residing in Iran” by the end of 2015. The regulation, approved at the vice presidential level, also instructed the Interior Ministry to facilitate the voluntary repatriation of an additional 200,000 Afghans legally classified as refugees and terminate the refugee status of another 700,000 Afghans. Iranian officials also ordered 300,000 Afghans living in Iran with temporary visas and temporary permission to work under the regularization plan to leave the country after the visas expired on September 6, 2013, with no chance of extension (Human Rights Watch, 2013).

Human Rights Watch condemned increased violations against Afghan migrants including physical abuse, detention in unsanitary and inhumane conditions, forced payment for transportation and accommodation in deportation camps, forced labor, and forced separation of families. A particular concern was Iranian security forces’ abuses against unaccompanied migrant children, a sizable portion of Afghan migrant workers and deportees (Human Rights Watch 2013).

According to HRW, the Iranian government also failed to take necessary steps to protect its Afghan population from physical violence linked to rising anti-foreigner sentiment in Iran, or to hold those responsible accountable. Iranian authorities were “behaving very badly with the deportees," said Naik Mohammad Azamy, head of the UNHCR office in Islam Qala. "Maltreatment is common, and abuse for all of them.” (Human Rights Watch, 2013).

With the election of Hasan Rouhani to the presidency in 2013, the government postponed some of the earlier and harsher policies, first by granting a six-month visa to 450,000 Afghans who had previously been targeted for deportation (Siavoshi, 2022).

Some positive progress for refugees occurred in 2015, when Iran began allowing all Afghan children of school age to attend primary and secondary school regardless of their documentation status. More than 800,000 Afghan children were enrolled in Iranian schools studying side-by-side with Iranian children. Soon thereafter the government established a new social security office to assist documented migrants with health insurance and social security. Moreover, BAFIA adopted a friendlier re-entry policy accommodating resident Afghans who wished to go to their home country for a visit (UNHCR, 2023).

In 2016, Iranian officials began fearing that Islamic State-Khorasan Province (ISKP) insurgents would infiltrate into Iran as refugees. This concern was so serious amongst Iranian leaders that it is thought to be the driving factor behind Iran's efforts to "cozy up" with the Taliban around this time, according to the Middle East Institute. Although Iran had been a foe of the hardline Sunni Muslim Taliban for decades, officials began openly meeting Taliban leaders (Reuters, 2021).

Additionally, Afghan refugees continued to provide a scapegoat for Iran's struggling economy. In 2016, a representative of Iran's parliament blamed Afghan refugees for a water shortage: "We have close to 4 million Afghans in Iran. If each person uses daily 100 liters [of water], the Afghans living in Iran use 400 million liters" (Aman, 2021).

Further progress for Afghan migrants occurred in 2019, when Iranian officials announced that the children of mixed marriages (provided that the mother was Iranian) would be granted citizenship . This development was in line with a larger strategy by Rouhani. To reverse the trend of Iran's increasing international isolation, which was accompanied by draconian international sanctions, Rouhani saw Iran's national interest in opening the economy to foreign investments, hoping thereby to control both inflation and unemployment (Siavoshi, 2022).

Again in 2019, the Afghan refugees were used as a scapegoat in a threat by Seyed Abbas Araghchi, Iran's then Deputy Foreign Minister. He stated that "it is possible that we ask our Afghan brothers and sisters to leave Iran" if Iran's oil exports came to zero, after the U.S. announcement that all waivers on imports of Iranian oil would end. Araghchi later called the threat a "misunderstanding" (Aman, 2021).

The deteriorating economic situation in Iran made the lack of burden-sharing significant grounds for Iran's complaints regarding refugee resettlement. With some ebb and flow, restrictions on Afghans once again became the dominant part of state migration policy (Siavoshi, 2022). However, the Iranian

government passed a law providing refugees with specific rights, and an opportunity toward residency for refugees with Iranian spouses and children in 2019 (Noorzai & Jedinia, 2020).

2020 - 2023

In 2020, a top Iranian official has reiterated that Tehran will deport all "illegal" migrants. “Everyone who lacks the legal means to remain in Iran will be sent back [to their country] under a specific framework,” Iranian Interior Minister Ahmad Vahidi said on October 19, doubling down on previous comments that "Afghans and foreign nationals who do not have legal documents" would be returned to their countries (RFE/RL Azadi, 2023).

Following Vahidi’s comments, Afghan refugees and migrants in Iran endured a surge in abuse. Vahidi condemned the attacks saying it was "wrong that some people in our country are tormenting Afghans," but the dire economic conditions in Iran, which has been hit hard by years of Western economic sanctions, continues to fuel anger toward the migrants, with the number of Afghans forcefully deported back to their country rising (RFE/RL Azadi, 2023).

During the same year, Iranian lawmakers proposed new legislation that would allow police to use firearms to halt a vehicle if it escapes a security checkpoint and “there is a strong suspicion it is carrying illegal migrants.” The families of illegal migrants killed or wounded would not be able to apply for compensation if the bill was made law. Under the proposed bill, illegal migrants would also face hefty fines of up to 100 million tomans, or around $2,400. Judicial authorities could also confiscate any property or assets they have in Iran. Meanwhile, Iranian citizens who accommodate, transport, or employ undocumented migrants would also be punished under the proposed legislation (Bezhan, 2020)).

On June 3, a car carrying 13 Afghan migrants was set ablaze in Iran’s central Yazd province, killing three and injuring four. The video went viral on social media. Abdul Ghafoor Lewal, the Afghan ambassador in Tehran, told VOA that Iranian authorities have “accepted” that the car was shot at by Iranian security forces, causing sparks that started the fire. He added that local authorities vowed a thorough investigation. The deadly car burning has prompted angry marches in Europe, the United States and Afghanistan, where protesters chanted anti-Iran slogans and burned the Iranian flag (Noorzai & Mehdi, 2020).

Iranian officials say police suspected the car was carrying drugs and undocumented immigrants. According to Ahmad Tarahomi, Yazd province’s deputy governor, police shot at the car after it ignored calls to stop at a checkpoint. Iran’s Foreign Ministry summoned the Afghan ambassador last week in

Tehran over the protests, calling them “offensive moves" against the Iranian diplomatic missions in Afghanistan” (Bezhan, 2020).

A month earlier, a group of some 50 Afghans illegally crossed into Iran and were detained by Iranian border guards who allegedly beat and tortured them and then forced them to jump into the Harirud, a 1,100-kilometer-long river shared by Afghanistan, Iran, and Turkmenistan. Many of them drowned (Bezhan, 2020).

Noor Rahman Akhlaqi, Afghanistan’s Refugee and Repatriation minister, said some parts of the legislation were “shocking.”. Observers expressed a belief that Iranian authorities were keen to prevent a new influx of Afghan migrants and refugees as violence intensified in neighboring Afghanistan (Bezhan, 2020). The Afghan government sent a high-ranking delegation to Iran to prevent deadly recurrences such as the car burning and to discuss border security. In a press release last week, the Afghan Foreign Ministry said it was calling on “the friendly and brotherly country of Iran to treat the citizens of Afghanistan with a spirit of tolerance and cooperation” (Noorzai & Jedinia, 2020).

Mohsen Baharvand, Iranian Deputy Foreign Minister for International and Legal Affairs, was interviewed by IRNA News Agency three days later after the car burning. He stated that “Afghan citizens are very respected, but their border crossing should be legal and regulated.” Despite these claims, Human Rights Watch continued to document abuses of Afghans in Iran, who were increasingly hindered from humanitarian aid and social services, while arbitrarily arrested and abused by security forces (Noorzai & Jedinia, 2020).

The other development during this time was Iran’s COVID-related economic and health challenges since the early months of 2020 that intensified both voluntary and forced return of migrants back home. The fragmented way refugee decisions were being formulated and executed by Iranian leaders led to confusion and turmoil. In the midst of the pandemic, the Tehran provincial governor and the director of the city’s welfare organization of Tehran both declared that several hundred Afghan child laborers had been rounded up, ready to be deported. Their statements were soon contradicted by the deputy of the Social Affairs section of the National Welfare Organization who stated that his organization had no intention to follow such a policy (Siavoshi, 2022).

Following the return of Taliban to power in August 2021, Iran experienced another influx of displaced migrants. After a brief official silence, the head of BAFIA soon announced that due to the country’s economic challenges Iran would not accept any new refugees (Siavoshi, 2022).

The refugee identity card, Amayesh, was introduced in a pilot program to register and contact-trace documented refugees in May 2021. This project improved some basic rights such as access to health insurance and education (Aman, 2021). However, cumbersome bureaucratic requirements and fees created serious hardship for many refugees. Additionally, the government curtailed the freedom of movement for refugees by requiring them to obtain a travel permit to cross the borders of their designated province of residence (Siavoshi, 2022).

On July 8 2021, one of the main border crossings between Iran and Afghanistan, Islam Qala, fell to the Taliban. After this incident, Afghan soldiers and border guards attempted to defect to Iran, but the authorities returned most of them to Afghanistan. In the same month, Tehran hosted a meeting of then Afghan government representatives and a high-level Taliban political committee (Aman, 2021).

Following the U.S. troop's departure from Afghanistan, Iranian President Ebrahim Raisi stated in August 2021 this "military failure" offered an opportunity to establish lasting peace in the country. Raisi expressed that Iran would support uplifting Afghans, stating that "America's military defeat and its withdrawal must become an opportunity to restore life, security and durable peace in Afghanistan . . . Iran backs efforts to restore stability in Afghanistan and, as a neighboring and brother nation, Iran invites all groups in Afghanistan to reach a national agreement" (Reuters, 2021).

In the weeks leading up to the Taliban's victory, Iran's military deployed additional forces close to Afghanistan while commanders reassured the Iranian public on a regular basis that "the police, the army, and the Islamic Revolutionary Guard Corps (IRGC) are monitoring the border and have the necessary control; so there is no need to be concerned in this regard." Generals increased review of security in the nation's east to prevent "any unauthorized entry" (Aman, 2021).

In August, when the Taliban's return to power became inevitable, Tehran shuttered its consulates at Afghan cities like Herat and Mazar-i Sharif and drew down its staff at the embassy in Kabul to avoid deaths as occurred in 1998. Commerce with Afghanistan came to a halt as border crossings were closed for ten days while the security situation was assessed by Iran (Choksy, J. & Choksy, C. 2021).

Shortly after, the Iranian authorities set up temporary camps to receive fleeing Afghans. Hossein Ghassemi, the general director of the Iranian Interior Ministry's Border Affairs office, told ISNA on Aug. 15 that Iran has constructed refugee facilities along its border provinces to temporarily settle Afghans fleeing the Taliban. "We always monitor developments in neighboring countries based on their security impact," he stated (Aman, 2021).

However, this support for Afghan refugees was largely surface-level. The policy of strict restrictions through intensified deportation continued as the dominant approach of Iran's leaders (Siavoshi, 2022). On Aug. 18, Iranian officials denied the existence of the camps or plans to build them. Human Rights Watch stated that this retraction was likely due to continued concern from officials regarding insurgents infiltrating Iran posing as refugees as well as Iranian economic strife (Aman, 2021).

Foreign Minister Hossein Amir-Abdollahian acknowledged that "Iran is seriously concerned over the spread of terrorism" from Taliban-led Afghanistan. Iran's UN Representative Ravanchi went even further when addressing the UNSC: "Afghanistan's territory must not be used, under any circumstances, to threaten or attack any country or to shelter or train terrorists, or to plan or to finance terrorist acts" (Choksy, J. & Choksy, C. 2021).

Fatemeh Aman, writer for the Middle East Institute, wrote around this time that Iranian officials' use of Afghan refugees as political leverage would likely be fruitless under the Taliban's rule. Aman wrote that as the Taliban were not "terribly concerned" over Afghans' possible return to their home country, the threat of mass deporting refugees would go largely unaddressed (Aman, 2021).

As the Taliban reimposed their rigid interpretation of Sunni Islam, the government in Tehran faced further waves of incoming Afghan refugees. Iran's Permanent Representative to the United Nations, Majid Takht Ravanchi, emphasized his country was "gravely concerned about … organized criminals active in trafficking in drugs (from Afghanistan)." While Iran benefitted from goods sent eastward, opium and heroin smuggled from Afghanistan was devastating. Iranian leaders feared that the Taliban, now in control of all of Afghanistan, could use drugs as a weapon to undermine Iranian society (Choksy, J. & Choksy, C. 2021).

Additionally, Iranian officials feared sectarian cleansing would recommence under Taliban rule, and demonstrated their support of Afghans fighting against the Taliban. Iran's Speaker of Parliament Mohammad Ghalibaf demanded the Taliban establish a government which ensures "religious and human rights of the people of Afghanistan from all ethnicities, races and religions." As Shiites and other Afghans resisted the Taliban's final push for control, IRGC Quds Force Commander Esmail Qaani emphasized: "The Shiites of Afghanistan have high importance for the Islamic Republic of Iran." Iran's Foreign Ministry's spokesman "strongly condemned" the Taliban attacks, and characterized deaths of resistors there as "martyrdom." The city council of Tehran renamed an alley in the northern part of the capital city "to show sympathy with the people (there) who are fighting against the Taliban forces" (Choksy, J. & Choksy, C. 2021).

Following the August 2021 seizure of power by the Taliban, millions of Afghans exited into Iran. Iranian officials "looked the other way as this mass migration of people continued along its eastern border" (Mariet D'Souza, 2023). As time wore on, Iranian sentiment toward Afghans became increasingly negative as Iranians contend with a deteriorating economy. By 2023, the Iranian government revisited its Afghan migrant policies (Zadeh, 2023). The Tehran border closed to Afghans, and those without valid papers were deported (Mariet D'Souza, 2023). In the aftermath of a series of earthquakes in 2023 in Herat, Iranian officials expressed concern about a potential new influx. The chairman of Iran's Migration Organization, Abdollah Mobini, said that Iran has long been a destination for Afghan refugees but that this support cannot be "sustained indefinitely" (Zadeh, 2023).

Afghan immigrants continued to face a web of challenges stemming from government policies and societal attitudes. Healthcare, education, and other public services were still restricted. Immigration policies remained inconsistent, oscillating between temporary work permits and mass deportations. According to a 2023 report by BBC Persian, Iranian officials under President Ebrahim Raisi openly blamed Iran's problems on Afghan immigrants. At the same time, conservative newspaper Jomhuri-e-Eslami warned about the immigrants' high birth rate and labeled Afghan migrants as a threat to national security (Zadeh, 2023).

While the Iranian government did not officially acknowledge this recent rise in Afghanophobia, its inconsistent policies and lack of legal protections for Afghan immigrants contribute to the phenomenon. Ahmad Vahidi, Iran's Minister of the Interior, has stated that Afghan immigrants "do not pose a security challenge for Iran." However, there have been several terrorist incidents involving Afghans, including the stabbing to death of two clerics in Mashhad in 2022 (Zadeh, 2023).

Iranian diplomats have engaged with Afghan authorities to try to stem the influx. Seyyed Hassan Mortazavi, the deputy ambassador of Iran to Afghanistan, asked Taliban officials to "adopt policies that encourage Afghan immigrants in Iran to return to Afghanistan." The Afghan government expressed concern over the treatment of its nationals in Iran but has been largely ineffective in negotiating better conditions. At the same time, the Taliban's Ministry of Immigrants has reported that "a thousand to more than two thousand" immigrants are returning to Afghanistan from Iran daily (Zadeh, 2023).

On November 4, 2023, Taliban First Deputy Prime Minister for Economic Affairs Abdul Ghani Baradar led a 30-member economic delegation on a two-day trip to Iran. The deportation of Afghans was mentioned in Baradar's talks with Raisi's administration (Mariet D'Souza, 2023). Both countries, according to reports, decided to set up task forces to deal with deportation in a manner that was of mutual interest to both nations. "Both sides," a statement from this meeting reads, "Agreed to capitalize on the

opportunities at hand and ensure that no external factors negatively impact the strong relationship between Iran and Afghanistan" (Zadeh, 2023).

Baradar emphasized the necessity for increased bilateral cooperation and the formation of technical teams to pursue the goal of increased economic relations. Expressing gratitude to Tehran for hosting Afghan refugees, Baradar acknowledged Iran's "commitment to Islamic values, humanitarianism, and the rights and norms concerning refugees." Officials also discussed streamlining visa issuance for Afghan citizens, addressing challenges faced by Afghan refugees in Iran (Khaliq, 2023).

Repatriation of Afghan Refugees to Pakistan

Prior to 1989: Basis for Afghan migrants in Pakistan

Afghans have been migrating to Pakistan for centuries. Through the 1960s and 1970s, many Afghans migrated to Pakistan as industrialization remained negligible and insufficient employment opportunities were present in Afghanistan. An oil boom in 1973 attracted a larger swath of Afghan labor migrants to Pakistan. As Afghans already residing in Pakistan during the boom relocated to other oil-rich Gulf States, many jobs were left vacant to other Afghans who became more likely to find employment in Pakistan. Over 1.5 million of Afghans are known to have crossed the border to Pakistan between 1979 and 1980 (Mehlmann, 2011).

Between 1981 and 1985, another increase of Afghans arrived in Pakistan, when the Afghan war was very intense and the Afghan countryside was becoming depopulated. Most of these Afghans in Pakistan lived in refugee camps along the Pakistan-Afghanistan border. The Pakistani Government received relatively high humanitarian aid by the international community for these camps (Mehlmann, 2011). In late 1988, roughly 3.3 million Afghan refugees were housed in 340 refugee camps along the Afghan-Pakistan border (Masood & Khan, 2011).

The first large-scale exodus of Afghan migrants was the result of the Soviet invasion in 1989. In the ten years of fighting that followed, regular outflows to Pakistan occurred. Pashtun tribes in the south and east of Afghanistan fled naturally to their tribesmen across the border in Pakistan, and most Afghans also shared their Sunni faith with the majority of Pakistanis (Mehlmann, 2011). In total, nearly three million Afghan refugees

Involvement of International Organizations in the Return Process: *United Nations 1951 Refugee Convention*
Pakistan is not a signatory to the UN's 1951 Refugee Convention or its subsequent protocols. Afghans who crossed the border to Pakistan from this time onwards were not considered asylum seekers or refugees but rather seen as "involuntary religious migrants". Pakistan provided shelter and security to Afghans following the war in 1979 due to a sense of duty, as the country shares long historical and cultural ties with Afghanistan, rather than an accordance to international

escaped to Pakistan throughout the decade, though some figures estimate that by 1990, nearly 4.5 million undocumented Afghan refugees resided throughout Pakistan (Safri, 2011). Aided by the UNHCR, and primarily funded by the United States government, Pakistan continued to accept and support the inclusion of these Afghan refugees throughout the decade.

Sentiment
During the oil boom, Afghans who migrated to Pakistan did so legally and were welcomed by the government who benefited from the cheap labor force. Afghan refugees were also welcomed in Pakistan during the civil war, as Pakistan supported the Mujahidin and the Taliban against the Soviet invasion (Mehlmann, 2011).

1990 - 1994: Returns to Afghanistan following the resolution of Soviet conflict

In 1989, the Soviets withdrew from Afghanistan. At this time, 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 (Mehlmann, 2011). The U.S. decreased their funding to Pakistan to support Afghan refugee camps (Safri, 2011).

Around this time, the government of Pakistan began to harden their attitudes towards continued presence of Afghans in their countries. A voluntary repatriation program in Pakistan was launched in 1990, based upon the provision of money for the return of refugee ration books . Nonetheless, Afghans continued to enter Pakistan as the mujahedeen sought to oust any remaining vestiges of Soviet rule (Mehlmann, 2011).

Another major migration wave out of Afghanistan occurred following the mujahideen victory in 1992. At this time, the urban and educated middle class fled to Pakistan. However, the government of Pakistan continued to dissuade Afghans from arriving. By 1995, all food rations to refugee camps in Pakistan had been stopped to further encourage Afghans to return to Afghanistan (Mehlmann, 2011).

1994 - 2000: Hardening attitudes towards refugees fleeing the Taliban

With the rise of the oppressive Taliban regime starting in 1994, major movements of Afghans to Pakistan began once again and continued until 2000. In 1998, the

Involvement of International Organizations in the Return Process: *Decreasing UNHCR food assistance*
Direct food assistance to refugees from UNHCR was stopped in 1995 following an assessment by UNHCR and the World Food Programme that the population was in a position to achieve self-sufficiency, a shift that underscored a coordinated effort to either

Government of Pakistan began restricting the Afghan movement of Afghans in the country. Pakistani officials increasingly perceived Afghans as an economic

burden rather than religious migrants. The country hardened its state policy and gave Pakistani police the authority to arrest, intimidate, beat and deport Afghan refugees. By the end of the 1990s, Pakistan had ceased to grant refugee status on a prima facie basis to new arrivals from Afghanistan, as a great majority of Afghans were regarded as economic migrants rather than refugees (Mehlmann, 2011).

2001 - 2002: Returns of Afghans fleeing to Pakistan following violence in Afghanistan

A major exodus of Afghan refugees to Pakistan resulted from the U.S. led bombing campaign and the fighting between the Taliban and the coalition forces in 2001. These refugee outflows were marked by regular cross-border movements because of economic, social and political reasons as well as regular return. The Pakistani Government continued to implement policies that discouraged Afghan refugees to stay on in their countries. Pakistan closed many refugee camps that hosted thousands of Afghans in border areas (Mehlmann, 2011).

Following the attacks on the World Trade center, and the subsequent global focus on Afghanistan, Pakistan decided to move toward the complete repatriation of Afghan refugees. Claiming that these refugees were to blame for the growing security concerns within the country, along with the subsequent branding of these individuals as terrorists, Pakistan, with support of the UNHCR, began to facilitate voluntary repatriation (Safri, 2011).

2003 - 2008: Pressure to return as relative stability returns to Afghanistan

From 2003 onwards, UNHCR began registering asylum applications of Afghans. These applications steadily decreased from 2003. Through 2005, Afghanistan observed an unexpected large wave of repatriation. With the assistance of UNHCR, 2.7 million refugees

Involvement of International Organizations in the Return Process: *Agreement between the Government of the Islamic Republic of Pakistan, the Government of the Islamic Republic of Afghanistan, and the United Nations High Commissioner for Refugees Governing the Repatriation of Afghan Citizens in Pakistan, 2002*
In 2001, UNHCR registered over 2.1 million Afghan refugees in Pakistan, although official estimates indicate much more (Mehlmann, 2011). The following year, UNHCR started its assisted voluntary return program for Afghan migrants in Iran and Pakistan. About 75% of Afghan refugees, according to UNHCR's estimates, returned to Afghanistan by the next year as 1.52 million refugees were voluntarily repatriated. There is sufficient reason to believe that these returns were not as 'voluntary' as advertised, as a joint report from the UNHCR and Pakistan suggested 82% of refugees reported to 'not wish to repatriate' (Safri, 2011).

returned from Pakistan. During the same period, the number of spontaneous returns from Pakistan amounted to almost 300,000 from Pakistan. This level of repatriation shows a degree of confidence in the state of Afghanistan (Mehlmann, 2011).

In 2005, the government of Pakistan began a census to register all Afghans. Over three million Afghans who were recognized as residing in Pakistan. This number included all Afghans who arrived in Pakistan after 1 December 1979. A majority of Afghans in Pakistan (83%) stated they had no intention to return back to Afghanistan. The main reasons for this resistance to return were the lack of shelter and livelihood in Afghanistan. The lack of security in Afghanistan was mentioned, although to a much lesser extent (Mehlmann, 2011).

The number of registered Afghans was reported at 2.15 million in February 2007 (Ali, 2007). Before this year, Afghan refugees living in Pakistan did so without any legal document for 28 years. This gave rise to a lot of legal problems as Afghans in Pakistan could be stopped, searched and arrested under the Foreigners Registration Act (Mehlmann, 2011). In 2007, the first official registration of Afghan refugees in Pakistan occurred, and Afghans were provided with Proof of Registration (PoR) cards with biometric features (Ali, 2007). Since this time, Pakistan has not registered any new Afghan refugees, despite the lack of meaningful improvement in human rights conditions in Afghanistan since then (HRW, 2017).

More than 357,000 Afghans were repatriated from Pakistan in 2007 (Tan, 2007). Each person received a travel package worth about $100, which was increased to $400 (UNHCR, 2016). Between 2007 and 2008, data indicates that seasonal variations played a role in population flows over the Afghan-Pakistan border. A higher number of Afghans left Pakistan during spring and summer than incoming flows during the fall and winter season. Overall, higher numbers of cross-border movements were observed at the time of the New Year in Afghanistan and during the months of summer. The hot summer months tended to bring Afghans back to Afghanistan and the tough winter days draw them back to Pakistan, mirroring the climate conditions in both countries (Mehlmann, 2011).

Of the 2,000 cross-border migrants included in a study by Altai consulting and UNHCR in 2009, almost 82% described a cyclical movement of migration and about 36% reported to go back and forth between Afghanistan and Pakistan every 3 months. The 2005 National Risk and Vulnerability Assessment (NRVA) indicated that 75% of Afghans who migrated to Pakistan did so seasonally. In contrast, NRVA 205 indicated that 74% of Afghans migrating to Europe did so permanently (Mehlmann, 2011).

In 2008, the Pakistan State Minister for Interior stated that citizenship had been granted to qualifying Afghans in accordance with the Pakistan Citizenship Act of 1951 and Naturalization Act of 1926. Overall,

a total of 110 Afghans from Afghanistan had been given Pakistan citizenship in 2008 (a number that would decrease to a total of 7 and 9 people in subsequent years). Obviously, considering the large number of Afghan refugees who had been living in Pakistan for decades, this number of citizenships allowed to Afghans in Pakistan was very low (Mehlmann, 2011).

2009 - 2019: Increasing pressure to return

In 2009, Afghanistan and Pakistan countries signed the "Joint Declaration between the Islamic Republic of Pakistan and the Islamic Republic of Afghanistan on Directions of Bilateral Cooperation" to encourage "people to people exchanges" and contacts especially between academia, think tanks, media and civil society. In 2010, Pakistan Governments extended the validity of PoR cards for Afghans, allowing them to stay three more years in Pakistan. Nonetheless, many Afghans regularly experience extortion and detention at the hand of the Pakistan police (Mehlmann, 2011).

Additionally in 2010, Pakistan had been hit by an ongoing militant insurgency and experienced the worst flood in history. The number of Afghans returning from Pakistan increased two-fold in 2010 compared to the year prior. Whereas a total of 54,000 Afghans had returned from Pakistan by the end of 2009, 104,000 returned between March and October, 2010. Returnees cited economic factors and the deteriorating security situation in Pakistan as the main reason to return (Mehlmann, 2011).

In June 2010, Pakistan ratified the United Nations Convention against Torture, which forbids member states from deporting, extraditing or returning people where they will be tortured. The government of Khyber Pakhtunkhwa, the province hosting the greatest number of Afghans, increased its efforts toward a large-scale deportation of Afghan refugees from the province nonetheless (Express Tribune, 2021).

The Afghan minister of refugees and repatriation announced that his ministry would establish 48 towns in Afghanistan for refugees returning from Pakistan (Ghafari, 2012). Between 2010 and the end of 2012, a reported 229,000 Afghan refugees returned from Pakistan (Pajhwok Afghan News, 2011) (Xinhua - English News CN, 2012).

In 2011, Over 1.7 million Afghans in Pakistan were registered with UNHCR in Pakistan. The actual number of Afghans in Pakistan at this time was expected to be much higher. This disparity was in part due to the harsher attitude of the Pakistan Government toward Afghan migrants, as many unauthorized Afghans residing in the country could be deported if their presence was officially recognized. Additionally, as it was a precondition to register as a family unit, the elderly, young and disabled often could not make it to registration centers (Mehlmann, 2011).

In contrast to refugee flows during Soviet invasion and the Taliban regime when entire families crossed the border to Pakistan, migration flows in 2011 consisted of single men who crossed the border temporarily for economic or social reasons. The changes in the Afghan government after 2011 and the worsening economic conditions in Pakistan further contributed to a change in attitude towards refugees from Afghanistan. The high numbers of Afghan returnees demonstrated to various stakeholders, such as Pakistani officials, Iran, UNHCR, and the donor community, that the burden of hosting and supporting a large refugee population had reduced (Mehlmann, 2011).

According to a 2011 case study examining return migration of Afghans during this period, it was questionable how sustainable the repatriation of Afghan refugees from Pakistan and Iran was during this period. The larger context behind these migration drivers, the channels of pre-established transnational networks between Afghanistan and Pakistan, and the lack of economic opportunities and social services in Afghanistan were believed to impose prevailing barriers to Afghan returnees and their reintegration. This line of thought was believed to be justified also by the number of Afghan returnees dwindling following years of exceptionally high returns between 2001 and 2005. At the same time, the volume of migration linked to seasonal employment and trade grew (Mehlmann, 2011).

By 2011, the profile of Afghans in Pakistan was rather different from those refugees who have returned since the fall of the Taliban regime. The great majority of the individuals remaining in Pakistan, like Iran, had been in exile for more than 20 years. Almost half of the registered Afghan population was born in exile. After two decades in Pakistan, the decision to return constituted a major undertaking. Most returnees depended on their relatives and other social networks for their social and economic reintegration. Most poor families did not have these resources and depended on the assistance provided by local and international organizations, particularly with regard to water and shelter in their country of origin. Pakistani officials urged the Government of Afghanistan to allocate sufficient funds for rehabilitation of returnees within the

Involvement of International Organizations in the Return Process: *Renewed Agreement between the Government of the Islamic Republic of Pakistan, the Government of the Islamic Republic of Afghanistan, and the United Nations High Commissioner for Refugees Governing the Repatriation of Afghan Citizens in Pakistan, 2011*
In early 2011, Afghanistan, Pakistan and UNHCR renewed their tripartite agreement on voluntary return of Afghan refugees. To encourage and motivate the Afghan refugees to repatriate, the repatriation package of $100USD per returnee was increased to $150USD (Mehlmann, 2011).

Afghanistan National Development Strategy to ensure that repatriation is sustainable and does not result in second displacement (Mehlmann, 2011).

In December 2014, nine days after an attack from the Pakistani Taliban on a public army school, Pakistani officials announced a new anti-terrorism action plan. The attack had allegedly been planned in Afghanistan, and rumors that Afghans were among the facilitators led to a point in the plan being "the repatriation of Afghan refugees." This plan did not distinguish between registered, 'protected' refugees and undocumented Afghans, causing, in the following weeks, much indiscriminate action against both groups (Roehers, 2015). In the ten weeks after the attack, nearly 52,000 Afghans living in Pakistan returned to Afghanistan within ten weeks. This number of repatriations is more than twice the number that occurred throughout all of 2014. Hasty decampments occurred driven by pressure exerted by the Pakistani authorities. Returnees (some who were born and have grown up in Pakistan) were subject to house raids, eviction notices, and extortion (Roehers, 2015).

Following this exodus of Afghans, the number of returns from Pakistan fell back. However, the fundamentally changed stance of Pakistan towards the Afghans living in the country led officials to believe there will be prevailing pressured exit events and deportation campaigns. However, the budget allotted to the Afghan Ministry of Refugees and Repatriation was reduced from 1.2 million dollars in 2014 to 250,000 dollars this year due to financial restraints, limiting Afghanistan's capacity to receive returning migrants (Roehers, 2015).

In 2015, the repatriation of refugees and undocumented Afghans grew. UNHCR Pakistan saw over 7,000 registered refugees leave Pakistan and return to Afghanistan in January and February, while during the same time in the previous year only 612 registered refugees left Pakistan. The number of returning undocumented Afghans returning is much higher, as the IOM saw 44,256 Afghans return from Pakistan between January and

Involvement of International Organizations in the Return Process: *Reduced funding for IOM*
While the registered refugees in Pakistan are somewhat protected from deportation and have the UNHCR lobbying for them, there is little support for unregistered or undocumented for Afghans. The reduction of aid money to Afghanistan has also led to further complexities in effectively managing repatriation. Due to crises in Iraq and Syria, international agencies have fewer resources to devote to the Afghan government. The IOM Directorate for Refugees and Repatriation in Nangraharand, both regarded as understaffed and underfunded, were largely responsible for handling the surge in people crossing the Afghan border. The IOM has been mandated with the assistance of returning undocumented Afghans since 2008. However, due to funding constraints, IOM's Cross Border Return and Reintegration Program has just been cut in half, and it has had to let most of its implementing partners go.

February (including 3,074 deportations). This was more than double as much as in all 12 months of 2014 (Roehers, 2015).

Sentiment
Operations against Afghan refugees did not only have to do with the implementation of the anti-terrorism action plan. They were embedded in long-term resentment in the host community. Afghans were blamed for crime, unemployment, and the persistent militancy. The UNHCR speaks of an "increasing refugee fatigue" during this time.

In 2016, Pakistan extended refugee status for 12 months or less after that time, compared to a renewal between 18 months and three years in the past. Additionally, Pakistani authorities refused to re-issue refugees' expired cards after December 2015, increasing the pressure to return.

In the second half of 2016, deportation threats and police abuses pushed out nearly 365,000 of the country's 1.5 million registered Afghan refugees, and over 200,000 of the estimated 1 million undocumented Afghans. The exodus amounts to the world's largest unlawful mass forced return of refugees in recent times. Afghans described to Human Rights Watch various coercive factors that began in June 2016 after relations between Afghanistan and Pakistan deteriorated, including increasingly insecure legal status, government announcements that all Afghans should leave, police extortion that intimidated and stripped them of their limited income and ability to make ends meet in Pakistan, arbitrary detention, police raids, the exclusion of their children from Pakistani schools and shutting down Afghan refugee schools, and to a lesser extent, police theft and unlawful use of force. Pakistani police abuses decreased in October 2016, although reports of ongoing abuses continued well into December.

Returning refugees also spoke about other factors that influenced their decision to leave. In June 2016, significant pressure from Pakistan seeking increased repatriation rates led UNHCR to double its cash grant to returnees from $200 USD to $400 USD. This increase was a critical factor for some returnees to leave Pakistan (HRW, 2017).

Role of International Organizations in the Return Process: *UNHCR accused of tacitly encouraging inappropriate repatriation of Afghans in Pakistan, 2016*

In the second half of 2016, as pressured returns of Afghans grew, UNHCR remained publicly silent about Pakistan's large-scale refoulement of Afghans. There were no mentions that many of those returning were primarily fleeing police abuses and fear of deportation and that Pakistan's actions were unlawful. Human Rights Watch criticized UNHCR for promoting the repatriation of Afghan refugees by doubling its cash support to $400 USD in June 2016 through December 2016, as reports demonstrated that the conditions in Afghanistan had not significantly improved and vast numbers of returnees were unable to return to their home areas due to insecurity and extreme poverty. As under its mandate, UNHCR may only "promote" large-scale refugee repatriation when, among other things, UNHCR has formally concluded there is an overall general improvement in the refugees' country of origin so that they can return in "safety and dignity" and rebuild their lives there in a "durable" manner. HRW accused UNHCR of failing to ensure that refugees were fully informed of the conditions to which they were returning before deciding to leave, and failing to recognize that huge numbers of refugees leaving Pakistan in the second half of 2016 did not return voluntarily. HRW stated that "UNHCR therefore fundamentally abrogated its refugee protection mandate by effectively supporting Pakistan's mass refoulement, thereby making UNHCR complicit in these violations" (HRW, 2017).

Sentiment
Many described other factors in addition to official abuses, including a sudden emergence of anti-Afghan hostility by local Pakistani communities, Pakistani landlords suddenly charging significantly increased rent for apartments and business premises, and the departure of most or all of their relatives and neighbors, which left them feeling exposed and vulnerable to local police abuses (HRW, 2017).

However, it is necessary to note that not all Afghan migrants experienced negative receptions in Pakistan. In fact, a study conducted by the Sustainable Policy Institute in 2018 indicates that surveyed Afghan refugees generally viewed they had been largely accepted in Pakistan, with 88% of respondents stating they had found their neighbors either welcoming or extremely welcoming (Javed, Khan, Syed & Ahmad, 2020).

Despite continued pressure to leave, Afghan returns from Pakistan hit an all time low during the pre-pandemic era of 2020. UN Secretary-General António Guterresstated that the UN was working together on a region-specific Support Platform to assist voluntary repatriation and sustainable reintegration of refugees in Afghanistan, while providing help to refugees and their host communities in both Pakistan and Iran.

Following the rise of COVID-19 from March 2020 into 2021, the Pakistani government requested increased support from UNHCR to contribute to rationing for the Afghan refugees, particularly those living in 52 shelter camps across the country. Shehryar Afridi, the State Minister for Border Affairs, stated that while "Pakistan is playing a role" in the "gigantic challenge to provide food and rations to the refugees," it was "high time for the UN and the prosperous world to come forward to meet the food and other requirements of Afghan refugees." During the height of the pandemic, refugee representatives accused the UNHCR and other international bodies of not taking the issue seriously.

2021 - 2022: Mass movements to Pakistan due to the rise of the Taliban in Afghanistan

As the situation in Afghanistan deteriorated throughout the summer, Pakistan's Information Minister Fawad Chaudhry said that Pakistan would not allow any new Afghan refugees to enter the country. The government instead planned on establishing refugee camps near the border. "In the case of new refugees," Chaudry stated, "Appropriate steps would be initiated to handle them in a systematic manner" (Akhtar, 2021).

In August 2021, the Taliban regained power in Afghanistan. In an effort to protect refugees, UNHCR issued a non-return advisory for Afghans fleeing the country in August. UNHCR further outlined a plan to aid Afghans in the regional Refugee Response Plan and Afghanistan's Humanitarian Response Plan (UNHCR).

In the face of a flood of incoming Afghans, Pakistan continued to push back against new arrivals, tightening its border restrictions and deporting some people who have crossed over without visas. This response reflected the fears of a Pakistan, burdened by the cost of hosting refugees and paranoid about its national security. "This is the biggest worry for us right now," Information Minister Fawad Chaudhry told TIME three days after the Taliban takeover. "We are already hosting three million Afghan refugees. Our economy is not stable enough to take more, and at the same time, the COVID-19 situation doesn't allow us to open borders" (Toppa & Rehman-Karachi, 2021). As the humanitarian situation in Afghanistan spiraled, options for Afghans attempting to seek refuge in Pakistan were limited (Akhtar, 2021).

In September, Pakistani Interior Minister Sheikh Rasheed Ahmad denied there was an influx of refugees from across the border and said Pakistan would not set up refugee camps. In the months following, the Pakistani government has issued few official statements about what will happen to the Afghans who arrived amid the crisis. “Nobody knows what the policy is,” said Afrasiab Khattak, a veteran Pakistani politician and former senator. “Afghans are being thrown to the wolves” (Akhtar, 2021).

By November, 28,000 Afghans had arrived in Pakistan. Pakistan facilitated passage for some Afghan arrivals by issuing short-term transit visas, but it has resisted addressing the humanitarian situation for those who entered the country by other means. Most of Pakistan’s border with Afghanistan was fenced and manned by the army and other paramilitary forces (Akhtar, 2021).

Still, Afghans found their way into Pakistan at the risk of being sent back and resisted returning to the strife in Afghanistan. In 2022, only 6,500 Afghans chose to return compared to the 6.2 million refugees that returned over the ten years prior (UNHCR). Many Afghans who arrived in Pakistan after the takeover were encouraged to apply for resettlement programs in various countries, but were left in a state of limbo with expired Pakistani visas and lengthy resettlement processes making them vulnerable to detention and deportation. Afghan women and girls have faced greater barriers to obtaining resettlement, as destination countries often prioritized assisting the Afghans who contributed to their military efforts and were overwhelmingly male (HRW, 2023).

2023 - Intense forced repatriation efforts

In February 2023, UNHCR upheld their non-return advisory in the Guidance Note on International Protection Needs of People Fleeing Afghanistan, and continued to call for a halt on forced returns of Afghan nationals (UNHCR).

In mid-September, Pakistani authorities began forcing Afghans to Afghanistan at greater numbers through deportation and push-backs (HRW, 2023A). On October 3rd, Pakistan’s Interior Ministry announced on October 3 that all migrants living without legal status in Pakistan had 28 days to leave voluntarily or face deportation. By October 15, about 60,000 migrants left Pakistan, most Afghan (HRW, 2023).

Pakistani officials stated that 1.7 million of the nearly 4 million Afghan refugees were undocumented (Hussain, 2023), and used threats, abuse, and detention to coerce Afghan asylum seekers without legal status to return to Afghanistan or be forcibly returned by November 1, 2023 (HRW, 2023A).

Islamabad also blamed Afghan refugees for the spike in attacks by armed groups, most of them carried out by Tehreek-e-Taliban Pakistan (TTP) or “Pakistani Taliban” because of its ideological affinity with

the Afghan Taliban. Pakistan's caretaker Interior Minister Sarfraz Bugti, the top government official supervising the expulsion drive, alleged in October that 14 out of 24 suicide bombings in the country in 2023 were carried out by Afghan nationals (Hussain, 2023).

On November 1, 2023, the Pakistani government began an expulsion campaign to repatriate Afghan migrants. Bugti stated that more than 300,000 Afghans left Pakistan throughout the month (Hussain, 2023). On November 10, Pakistan officials extended the validity of ID documents for Afghans who were previously able to obtain Proof of Registration (PoR) cards until December 31. However, the deportation plan outlined the expulsion of card-holders to follow those without documentation (HRW, 2023A).

Sentiment
Broad calls by Pakistani officials for mass deportation have instigated increased police abuse against Afghans, including harassment, assault, and arbitrary detention (HRW, 2023). However, little visible outrage in the greater media landscape occurred over the forced exodus of Afghans from Pakistan, as Al Jazeera claims the abuses of Afghans migrants in Pakistan have been "missing from public view" (Hussain, 2023). However, this deportation campaign was largely popular among Pakistanis. Gallup Pakistan, in a survey conducted in the first week of November, found that 84 percent of respondents "strongly approved" of the Pakistani government's move to expel the "illegal" refugees and migrants, mainly from Afghanistan. 64% percent of the respondents said the repatriation of the Afghans would lead to improved security and peace in Pakistan (Hussain, 2023).

Role of International Organizations in the Return Process: *UNHCR accused of tacitly encouraging inappropriate repatriation of Afghans in Pakistan*
Pakistan's forcible repatriation of Afghan migrants and refugees drew the ire of the United Nations and other rights groups (Hussain, 2023). On October 27, UNHCR issued a statement raising concerns about the deportation plans and called for the protection of Afghan refugees in Pakistan. About 87 percent of Afghans who returned from Pakistan within the first two weeks of the month cited fear of arrest in Pakistan as their reason for going back, according to UNHCR and IOM. HRW claimed that these deportations violated Pakistan's obligations as a party to the UN Convention Against Torture and under the customary international law principle of nonrefoulment, as the indirect pressure to return was so intense that Afghans felt "no option but to return to a country where they face a serious risk of harm."

HRW urged the Pakistani government to drop the November 1 deportation deadline, and work with UNHCR to resume registrations of Afghan asylum seekers (HRW, 2023).

On November 17, UNHCR said that the arrival in Afghanistan of hundreds of thousands of Afghans "couldn't have come at a worse time," as winter had set in and the country faced a prolonged economic crisis. Because Pakistani authorities prohibited Afghans from carrying more than 50,000 Pakistani rupees per person ($175 USD) out of the country, many have left behind businesses and arrive in Afghanistan virtually destitute. Humanitarian agencies have described shortages of tents and other basic services for those arriving (HRW, 2023A).

Pakistani Leaders on Afghan Repatriation

Policy Overview

Pakistan is not a signatory of the 1951 Refugee Convention and the national legislation of Pakistan does not directly address refugee rights. Refugees lived in Pakistan without legal documents for over 28 years. In 2007, officials issue Proof of Residence (PoR) cards that allowed refugees to stay until 2009 and protected them against deportation, arbitrary arrest and extortion (Hiegemann). New registrations have not occurred since 2007 (UNHCR). The only Pakistani legislation related to refugees is the Foreigners Act of 1946 and the Foreigners Order of 1951. According to these laws, all foreigners without valid documentation are subject to arrest, detention, and deportation. Thus, unless they have current visas, most newly arrived Afghans who enter Pakistan since are at risk of being deported back to Afghanistan (Hiegemann).

Prior to 1990: Relative Openness and Support

Although Pakistan is required under international liability to provide refuge to Afghans as it is not signatory to the 1951 UN Refugee Convention, Pakistan accepted Afghans on a humanitarian basis and accommodated the world largest number of refugees fleeing the violence of the Soviet Occupation throughout the late 1970s into the late 1980s (Begum, 2022). Pakistani officials were relatively tolerant in their treatment of Afghan refugees (Margesson, 2007).

However, Pakistani officials did not want to house large numbers of Afghan citizens in cities. When Afghan refugees began arriving in 1978, the government of Pakistan barred UNHCR from registering or assisting refugees in the urban centers (Begum, 2022). Instead, several dozen camps were set up beginning in 1979 (Margesson, 2007).

Throughout the 1980s and early 1990s, the Pakistani authorities generally ignored the needs of Afghan refugees in the cities. Substantial amounts of international assistance flowed into Pakistan for refugees, while Afghan mujahedin enjoyed international and Pakistani support (Begum, 2022). Although the government of Pakistan did not allow the primarily rural Afghans to own or work the land, it did permit them to freely move and work within the country (Margesson.

Following the Soviet withdrawal from Afghanistan in 1989, Pakistan embraced over 3 million refugees with open arms. The government, along with international aid agencies, established refugee camps and provided basic necessities. Motivations included humanitarian considerations, a shared Pashtun cultural affinity, and political leverage against the Soviet-backed Najibullah regime in Afghanistan.

Officials assumed that Afghans would remain in the camps, where they received food rations and basic health and educational services (Margesson, 2007). Officials accepted Afghan refugees as they regarded their presence in Pakistan as temporary. In a 1989 interview, Prime Minister Benzair Bhutto stated that, “We would like all these refugees to return to their homeland," but acknowledged this repatriation would be delayed as the civil war in Afghanistan continued (Kamm, 1989).

1990-2000 - Beginning of Doubt and Efforts Toward Return

In the years following the withdrawal of Soviet troops from Afghanistan, Pakistani officials began to harden their attitudes towards Afghan refugees. The continued burden of hosting refugees, coupled with a decreased funding base from the United States and other international donors, encouraged Pakistani officials to seek their return. Food aid provided by UNHCR and WFP to refugee camps in Pakistan was terminated in 1995, as the organizations concluded based on survey findings that the government of Pakistan was resistant towards the presence of Afghan refugees and that a majority of the refugees were self-sufficient or could become self-sufficient if necessary. A year after the cut-off, however, a subsequent study found that many camp refugees were instead "living at a marginal level of existence, dependent on intermittent daily labouring work” (Ruiz, 2001).

The termination of food aid to camp residents prompted the exodus of thousands of refugees from the camps to Pakistani cities (Ruiz, 2001). During the late 1990s, the Pakistani authorities became much more concerned about the number of urban refugees (Begum, 2022). Pakistani officials blamed the increased number of refugees in the cities for Pakistan's growing social and economic ills. According to one senior government official, the refugees caused "an increase in crime, drug addiction and drug trafficking, and illegal trade. Local people say that the Afghans take their jobs and drive up real estate prices" (Ruiz, 2001).

Public support for the refugees also began to wane. The authorities, the media, and the general public increasingly blamed refugees for the cities' growing social ills, including crime, the widespread availability of weapons, drug abuse, prostitution, and the decline in the Pakistani economy (Begum, 2022).

Between 1996 and 200, there was relatively peace in Afghanistan. In 1999, the government of Pakistan began to refuse more refugees from Afghanistan, believing that most of Afghanistan was safe and that newly arrived Afghans were economic migrants (Begum, 2022). Additionally, growing frustrations in Pakistan in the face of continuing inflows of Afghans led to increased harassment of Afghan refugees. Police in Pakistan's major cities stopped undocumented Afghans, harassed Afghan businesses, and deported Afghans who did not pay bribes (Ruiz, 2001).

2000-2013: Growing Concerns & Souring Opinion

Another refugee influx, the largest in four years, began in mid-2000 and effectively brought Pakistan's tolerance for Afghan refugees to an end (Ruiz, 2001). Urban refugees' problems increased substantially at this time, as police stepped up their harassment, extortion, detention, and refoulement of urban refugees. In November, Pakistan officially closed its border with Afghanistan and began denying entry to Afghans unless they had a current Afghan passport and valid Pakistani visa, effectively barring most Afghans from legal entry (Begum, 2022).

Though the border closure was largely ineffective in practical terms (the border is porous and border guards easily bribed), it reflected Pakistan's hardening stance (Ruiz, 2001). At the same time, the authorities began to insist that Afghan refugees living in urban centers also present these documents or face deportation (Begum, 2022). Pakistani authorities resented what they saw as the international community's abandonment of the region after the Soviet withdrawal and its saddling of Pakistan with more than two million refugees with few prospects for a speedy return hom (Ruiz, 2001.

Muhammad Haroon Shaukat, director general of the Ministry of Foreign Affairs, told Refugee Reports, "The poor state of our economy is well known. We are under a variety of sanctions by various countries over the nuclear issue ... . We have over $6 billion in loans that we must pay back. We are living through one of the toughest times we have ever faced. Our resources cannot stretch any further. Now we are at a stage where our government is no longer in a position to extend assistance to new arrivals. He added that, "Over the years, while our hospitality has continued uninterrupted, the attitude of the international community has changed. The so-called 'donor fatigue' set in, and a sharp decline in the international community's commitment and assistance to Afghan refugees ensued" (UNHCR, 2001).

According to Shaukat, "In the past ... there was international assistance. Now we are on our own, but we do not have the resources left to assist the refugees. UNHCR assistance drops all the time, yet the refugees' needs remain. We are not receiving enough assistance to sustain the refugees. If donors have donor fatigue, then we have asylum fatigue. If donors' patience with the Afghan situation has run out, then so has ours" (UNHCR, 2001).

Major Sahibzada Mohammad Khalid, joint secretary for refugees in the Ministry of States and Frontier Regions, also added, "There is a saying that you can look after your brother and his family for a week, a month, a year. But at some point you have to ask him to help pay for the upkeep of both families, or to leave. We are not as cold-blooded as we appear to be. It's just that we have reached our limit" (UNHCR, 2001).

In late July 2000, the Pakistan government and UNHCR reached an agreement on terms for carrying out an official "screening" process to determine which of the camp's residents qualify as refugees and which do not. The government would deport those determined to be drought victims or economic migrants. Those who were screened out but deemed vulnerable were permitted to remain in Pakistan and would be assisted on a temporary basis. Government officials believed that a majority of the new arrivals fled primarily because of a drought in Afghanistan, and expected that most will be "screened out." However, a survey carried out in June by the International Rescue Committee indicated that 67 percent of Jalozai's residents "fled Afghanistan for reasons related to and/or including armed conflict or persecution" (UNHCR, 2001).

After the US invasion of Afghanistan and the fall of the Taliban, Pakistan officially shifted towards supporting the new Afghan government. However, suspicions about refugee involvement in militant activities lingered. In early 2001, Pakistani officials embarked on a policy of mass refoulement. On January 23, 2001, the governor of The North-West Frontier Province of Pakistan issued an order authorizing the police to detain and deport any Afghan not holding a valid Afghan passport and Pakistani visa, including both new arrivals and old refugees. The governor reportedly instructed each police station in Peshawar to deport a minimum of five to ten Afghan men daily (Begum, 2022).

That initiated a UN-commissioned study on the forcible return of Afghan refugees called a period of "mass harassment in cities and officially sanctioned forcible return to Afghanistan in a systematic manner." According to government statistics, the authorities rounded up and forcibly returned some 1,200 Afghan men from Peshawar between October 2000 and mid-May 2001. The study added, "The government's public endorsement of mass detention has given license for police corruption." The cost of bribes increased, and the rate of Afghans stopped on the street ballooned. Refugees in Islamabad stated

that the police would confiscate or destroy their old identification documents and label those documents “worthless” without an Afghan passport and a Pakistani visa (Begum, 2022).

After the 9/11 attacks, a growing security mindset in border control gravely undermined the well-being of refugees all over the world, particularly the Afghans (Begum, 2022). Pakistan's hardened stance toward Afghan refugees continued throughout the displacement crisis that followed the start of US military action in Afghanistan in October 2001. Pakistan kept its border officially sealed, trapping tens of thousands of Afghans in places of danger within Afghanistan (Ruiz, 2001). The border continued to allow some inflow (Begum, 2022).

Although UNHCR and donor governments promised to meet the cost of assisting new refugees, Pakistani officials continued to fear that the international community would again soon lose interest and leave Pakistan struggling to cope with even more refugees (Ruiz, 2001).

UNHCR led consultations with Pakistani officials in preparation for mass repatriation a month before the defeat of the Taliban. Following the defeat of the Taliban, the Pakistani officials began strongly advocating that conditions were appropriate for the return of all Afghans to Afghanistan. The government of Pakistan had growing economic and security concerns about its Afghan population. On the economic level, some Pakistani politicians believed that Afghans were taking jobs that might otherwise be provided to Pakistanis. The perception that the market was run by Afghans was prevalent among many – including Pakistani civilians as well as officials of NGOs, the Pakistani government, and the government of the United States (Margesson, 2007).

Beginning in 2002, UNHCR established a Tripartite Agreement with Pakistan to provide a legal and operational framework for voluntary repatriations (Margesson, 2007). It is one of the largest repatriation programs carried out in UNHCR's history. Under the agreement, UNHCR would continue to assist the voluntary repatriation of Afghan refugees from Pakistan for three more years (Ghufran, 2006).

The working assumption at the time was that there were approximately 2 million refugees in Pakistan. Almost everyone was caught off-guard when 2.15 million Afghans returned in 2002, and yet most of the camps in Pakistan continued to house large numbers of Afghan refugees. It appeared that there were far more Afghans living in Pakistan than most analysts had thought (Margesson, 2007).

Following the 2005 census, the concerns of Pakistani officials were confirmed. The government had a clear objective regarding this census; to gather more information on Afghans in Pakistan and sort out those who have legitimate protection concerns from others to formulate a comprehensive future strategy for Afghans living in Pakistan. The results, revealing the presence of over 3 million Afghans, presented a

grave challenge for both Pakistan and UNHCR. It was difficult to explain this huge figure given the fact that 2.5 million Afghans had returned since the signing of the Tripartite Agreement – although a number of contributing factors were named, such as a high birth rate among Afghans in Pakistan and "recycler" migrants re-entering to Pakistan after receiving return benefits (Ghufran, 2006).

Pakistan was faced with the stark reality that despite pressures from the international community to facilitate repatriation, refugees were reluctant to go back because they lacked shelter, access to land, and livelihood opportunities. Pakistani officials urged the international community to create the necessary conditions and economic opportunities in Afghanistan as an incentive for people to return (Ghufran, 2006).

In a step to accelerate the repatriation process and mitigate security concerns, the government of Pakistan announced the closure of refugee camps in the Federally Administered Tribal Areas (FATA) of Northwest Pakistan by August 31, 2005. Camp residents were given a choice of going home under the UNHCR voluntary repatriation program or relocating to existing camps in Pakistan (Ghufran, 2006). Security was considered to be one of the reasons behind the Pakistani official's decision to close all of the remaining refugee camps in the FATA (Margesson, 2007).

Pakistani leaders were growingly concerned with lawlessness, terrorism, and anti-government activity. There was a perception among many Pakistanis, including government officials, that Afghans were responsible for a great deal of the smuggling of stolen goods, narcotics, and weaponry across Pakistan's western border. Pakistani police, in justifying their sweeps through Afghan areas, have cited the imperative to crack down on crime. Additionally, many experts and officials believed that the FATA was being used as a staging area for militant activity, some of it directed against coalition forces in neighboring Afghanistan and some against the Pakistani government. This worry grew more acute in the wake of several assassination attempts against Pakistan's President Pervez Musharraf. Additionally, theories that Osama bin Laden and other senior members of Al Qaeda were hiding in the mountainous tribal areas of Pakistan bolstered the Pakistani official's efforts to gain control over these areas (Margesson, 2007).

In early April 2005, the government also decided to close down Afghan refugee camps in Islamabad. The closure affected an estimated 100,000 to 200,000 Afghans. The majority chose to repatriate while others accepted the government's offer of relocation to other existing camps. The return of these refugees put UNHCR's reintegration operations within Afghanistan under significant pressure (Ghufran, 2006).

The 2005 census became the basis for the registration program developed with UNHCR and the government of Afghanistan. Registration of Afghans began on October 15, 2006, and was conducted by Pakistan's National Database and Registration Authority with the support of UNHCR and the government's Commissionerate for Afghan Refugees (Margesson, 2007).

Pakistani officials were bent on Afghans' expeditious repatriation. Pakistan "had changed from being a hospitable host to a country now reluctant to house the remaining refugees" by 2006. Pakistan maintained a policy of temporary protection with voluntary return as the preferred option; however, the goal of comprehensive repatriation began to feel impossible in the face of protracted fighting in Afghanistan. Many elements in Pakistan – officials, citizens, and media figures – believed that Afghan refugees will never go back, even if the political situation in Afghanistan improves. This assumption had held true, notwithstanding the large repatriation movements of 1992 and 2002 (Ghufran, 2006).

The closure of camps continued. Pakistani officials announced over local radio on March 13, 2006 that they were shutting down a refugee camp at Miran Shah, in the North Waziristan Agency, within 24 hours. The political agent of the North Waziristan Agency, Zaheerul Islam, said the refugees must leave or action would be taken against them. "They are not Afghan refugees but foreigners," he claimed (Ghufran, 2006).

In February 2006, Islamabad announced closure of three refugee camps in the NWFP and its restive Balochistan province by the end of April. President Karzai made statements while honoring the 13th anniversary of the withdrawal of Soviet troops from Afghanistan urging Afghans to return home and participate in their nation's reconstruction (Ghufran, 2006).

Between 2006 and 2007, the Pakistani Ministry of States and Frontier Regions registered Afghans in Pakistan and issued them Proof of Registration (PoR) cards with assistance from UNHCR. According to the UNHCR Representative in Pakistan Noriko Yoshida, PoR cards "provide proof of identity, entitlement to temporary stay in Pakistan, and freedom of movement" and "facilitate access to certain essential services, including education, healthcare, banking, property rental, and allied facilities" (Ghufran, 2006). Further camp closures occurred in 2007, impacting an estimated 250,000 refugees (Margesson, 2007).

Apart from issuing PoR cards to children born to PoR card holders and a few unregistered family members of PoR cardholders, no new cards were issued after 2007. However, Pakistan's National Database and Registration Authority and the Chief Commissionerate for Afghan Refugees conducted verification exercises with the support of UNHCR to update the numbers of PoR holders for years after. These verification exercises merely updated the registration information originally collected between

2006 and 2007. Afghans registered as refugees in between these two years are the only Afghans the Pakistani government recognizes as refugees, comprising about 1.32 million people (Ghufran, 2006).

In 2008, the government of Pakistan indicated their desire to close all refugee camps to encourage repatriation following the expiry of PoR cards in 2009. At a tripartite meeting of the Afghan and Pakistan governments and UNHCR in Dubai in March 2008, the Pakistani delegation proposed the closure of 11 more refugee camps in addition to the three largest camps, which were closed in April (The New Humanitarian, 2008).

UNHCR, concerned that the situation in Afghanistan would hinder the safe voluntary return of refugees, encouraged camp closures to be scaled down. "The Pakistani delegation took our concerns [on board]," said Salvatore Lombardo, UNHCR's representative in Afghanistan, Lombardo. Lambardo expressed that large-scale returns were unlikely, stating "The period of mass repatriation is over" (The New Humanitarian, 2008).

In 2009, Pakistani officials demonstrated relative good-faith by extending the validity of PoR cards until 2012 (Rummery, 2009). However, tensions continued to increase among Pakistani citizens and government leaders. In 2010, many Afghans were displaced from camps in Pakistan due to severe flooding and military strife, creating a "burden [on Pakistan that] would be considered unbearable in many developed countries" (Grare & Maley, 2011).

In 2011, Pakistani Prime Minister Yousuf Raza Gilani called on the international community to help repatriate Afghans, who he said were "causing numerous difficulties" and spreading polio. Interior Minister Rehman Malik accused the refugees of being "involved in criminal activities," and said sending Afghans home was among Pakistan's priorities (Grare & Maley, 2011).

As repatriation efforts proved less successful than humanitarian organizations, Afghan, and Pakistani governments hoped, attempts to improve the conditions for refugees in Pakistan continued. Between 2011 and 2013, Afghan officials and UNHCR encouraged the government of Pakistan to introduce some benefits for registered refugees, such as the ability to open bank accounts, buy mobile phone connections, and get driving licenses (IRIN).

"We have received this request many times, and are working on it. There are issues with policies and rules that we have to navigate. Only then will it be possible," an anonymous Pakistani official stated. "To be honest, we don't know when this can happen" (IRIN). This promise was fulfilled in 2013 (Khan, 2013).

2014-2020: Mounting Frustration & Pressure

As the Afghan war dragged on, refugee numbers stabilized around 2.7 million, sparking public anxieties about resource depletion and security threats. Anti-refugee sentiment rose, leading to stricter regulations, limited access to education and healthcare, and instances of harassment. Pakistan also accused Afghanistan of harboring Pakistani Taliban militants, further straining relations.

The pullout of NATO forces from Afghanistan in 2014 again deepened the fear among Pakistani officials regarding social and political turmoil that could bring more refugees. The Pakistani officials directed the military to erect a fence along the Durand Line. The government of Pakistan sealed its frontier with Afghanistan and refused refugee status to anyone entering Pakistan (Begum, 2022).

After a terrorist attack against a school in Pakistan in 2014, Pakistani leaders enacted an intense repatriation policy. An inclusive "national security strategy," known as the National Action Plan, outlined complete and comprehensive repatriation of undocumented Afghans in one of its twenty points (Begu, 2022).

The government of Pakistan created the Comprehensive Policy on Voluntary Repatriation and Management of Afghan Nationals in 2017. In a joint exercise with IOM and the former Afghan government, Pakistani officials issued Afghan Citizen Cards to about 840,000 undocumented Afghans in Pakistan (Hiegemann). These cards were not reissued after this time (Cone & Khan, 2023). This card confirmed the Afghan citizenship of its bearer. It also ensured that the government of Pakistan had Afghans' basic information and allowed them to stay in Pakistan, but did not consider them "refugees." All other Afghans without PoR cards or an ACC have no status and, therefore, no legal protection from refoulement (Hiegemann).

About 50,000 ACC or PoR cardholders, whose status permits them to access public education, are enrolled in school in Pakistan. Additionally, Afghan PoR and ACC holders were granted access to public hospitals and doctors free of charge, on par with Pakistani nationals. The government also included them in government-sponsored healthcare programs such as immunization campaigns and HIV prevention and treatment programs. While the quality of the public healthcare system in Pakistan is generally low, cardholding Afghans could receive basic medical care (Cone & Khan, 2023).

In March 2017, Pakistani officials instituted new criteria to stem the inflow of refugees. An unprecedented military initiative fenced the Pakistan-Afghan border. This nine-foot chicken wire fence, with a six-feet gap, was topped with barbed wire along the nearly 2,600 kilometer Afghan border.. The fence would run along rugged terrain and snow-capped mountains as high as 12,000 feet. Additionally, hundreds of new forts and outposts were established. A new surveillance system – featuring CCTV

cameras, drone cameras, and more – was also instituted for “effective day and night monitoring of the border.” The construction effort cost about $500 million (Begum, 2022).

In 2018, Pakistani Prime Minister Imran Khan pledged to grant citizenship to 1.5 million Afghan refugees. Khan stated, “Afghans whose children have been raised and born in Pakistan will be granted citizenship inshallah [God willing] because this is the established practice in countries around the world. They are humans. How come we have deprived them and have not arranged for offering them national identification card and passport for 30 years, 40 years?”

Khan’s statements were met with skepticism, as this decree had to be accepted by the military, which had traditionally held sway over refugee policy. Just the day before the speech, foreign minister Shah Mehmood Qureshi, who was seen as close to the army, stressed the need for “dignified, sustainable repatriation” (Barker, 2018). As of today, born and raised Afghans are not entitled to citizenship (Hafeez, 2023).

In 2020, Pakistani officials were met with an urgent need for medical aid for Afghans during the rise of COVID-19. The Pakistani government requested UNHCR to contribute to rationing for the Afghan refugees, particularly those living in 52 shelter camps across the country. "It is earnestly requested that keeping in view of our national policies and our commitment to Afghan refugees, the provisioning for essential rations/food supplies during the lockdown period be arranged on an urgent basis," Shehryar Afridi, the state minister for border affairs, said in a letter to the UNHCR (Latif, 2020).

Afridi stressed the need for assistance in the face of the pandemic. "Pakistan is playing a role, but this is a gigantic challenge to provide food and rations to the refugees. It is high time for the UN and the prosperous world to come forward to meet the food and other requirements of Afghan refugees, whose majority is daily wagers . . . Now it's the duty of the prosperous First World to join hands with us to meet their basic requirements at this critical juncture” (Latif, 2020).

2021-2023: Crackdown & Non-Cooperation

In 2021, the Taliban regained control of Afghanistan (Cone & Khan, 2023). Following the Taliban takeover, an estimated 600,000 Afghan refugees poured into Pakistan (Aamir, 2023). According to Pakistani officials, the Pakistani government was slow to respond to the fall of Kabul and Afghan refugees arriving across the border. By December 2021, the Pakistani government was still discussing where reception centers should be located. One official told Refugees International that Pakistan was “just kicking the can” (Cone & Khan, 2023).

As Afghan refugees arriving in 2021 were not granted ACCs or PoR cards, many were unable to enroll their children in formal schools, and were technically barred from the public healthcare system. In practice, public hospitals did not often check documentation, and Afghans were usually not turned away. However, Afghans reported being reluctant to visit a medical center or approach other public institutions without a valid visa (Cone & Khan, 2023).

In 2022, massive flooding ruined much of Pakistan's farmland and infrastructure, which pushed Pakistani officials to increase pressure for Afghans to leave. According to an article by Nikkei Asia titled "Pakistan makes Afghan Refugees Pay the Price for Economic Crisis," the government of Pakistan began to "insist [that] Pakistan's economy is breaking under the strain of providing for so many Afghan refugees" (Aamir, 2023).

In 2023, Pakistani interim Prime Minister Anwaar-ul-Haq Kakar's government ordered a sudden deportation order due to this strain. In an unpublished study shared with Nikkei, the Pakistani government stated that Afghan refugees caused Pakistan's economy a loss of $413.4 billion. According to the study, global aid to help them has only amounted to $4.55 billion (Aamir, 2023). This crackdown on undocumented migrants, including 1.7 million Afghans, ordered "voluntary" returns by Oct. 31 to avoid mass arrest and expulsion (Butt, 2023).

"Afghan refugees were a huge burden on Pakistan's economy and we could not afford to take care of them anymore," Abbas Khan, Pakistan's chief commissioner for Afghan refugees, told Nikkei Asia. "The deportation is an exercise to bring our house in order so that we have control over who enters Pakistan and lives in Pakistan." Khan also said the decision to deport Afghans was not made in haste. "We have been asking them to leave for more than a year," he said, "and now we have begun to actively implement this decision" (Aamir, 2023).

The government's focus on Afghan migrants was criticized for its lack of economic rationale. However, Pakistani officials state that there is an additional security motive to expel undocumented Afghans. Sarfraz Ahmed Bugti, Pakistan's caretaker interior minister, stated that year 24 suicide attacks have been carried out by terrorists in Pakistan, and in 14 of them the suicide bombers were Afghan. An anonymous security official told Nikkei Asia that expelling undocumented Afghans is in Pakistan's security and economic interests. "Western countries criticizing Pakistan on this matter abandoned the majority of their Afghan allies after the fall of Kabul and still want Pakistan to continue bearing the brunt of millions of Afghans. No more," the official said (Aamir, 2023).

Miftah Ismail, a former finance minister of Pakistan, told Nikkei that smuggling caused Pakistan's exchequer a loss of almost 400 billion rupees, and controlling it is a step in the right direction. "The smuggling of U.S. dollars distorts Pakistan's currency market," he said, "and hence it should be stopped by controlling the flow of goods to and from Afghanistan and Iran (Aamir, 2023).

However, Nadeem ul Haque, vice chancellor of the Pakistan Institute of Development Economics (PIDE), said that gains from controlling smuggling will be short-lived and hurt the economies in poor border areas at a critical time. "We need to understand that people living in border areas near Iran completely rely on smuggling for their livelihood," he said. "Unless no workable alternative is provided to them, the smuggling will continue in one form or the other" (Aamir, 2023).

An estimated 20,000 of the 600,000 Afghans who arrived to Pakistan in 2021 have referrals for resettlement to the United States Refugee Admissions Program through Priority 1 (P-1) and Priority 2 (P-2) categories. As of 2023, the promise of the P-1 and P-2 resettlement programs in Pakistan went unfulfilled. The State Department stated that resettlement from Pakistan is at a standstill because the Pakistani government did not permit the establishment of a Resettlement Support Center in the country – a requirement for the movement of cases out of Pakistan. The government of Pakistan was reportedly concerned that this could encourage more Afghans to enter Pakistan (Cone & Khan, 2023).

In 2023, UNHCR issued a statement revealing that since 2021, the organization had "been in discussions with the Government of Pakistan on measures and mechanisms to support vulnerable Afghans. Regrettably, no progress has been made" (Cone & Khan, 2023).

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