

s 22(1)(a)(ii)

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**From:** Steven Barraclough  
**Sent:** Wednesday, 11 October 2023 9:54 AM  
**To:** s 47F(1)  
**Cc:** Lauren Henschke; s 22(1)(a)(ii); Anna Oldmeadow; s 47F(1) ; Neil Hawkins; s 22(1)(a)(ii)  
 ; Nick McCaffrey; Michelle Chan; Gary Cowan; s 47F(1)  
**Subject:** Pakistan decision s 33(a)(iii) -  
**Attachments:** Pakistan illegal Afghans ordered to leave by 1 November.docx; Illegal Foreigners Repatriation Plan.pdf; UNHCR Key Advocacy Messages - 'Illegal Foreigners' Repatriation Plan' of Government of Pakistan - 3Oct2023.pdf; IOM Flash Update - Returns of Undocumented Afghan Migrants from Pakistan.pdf

**PROTECTED**

s 47F(1)

Apologies for the delay re your request for a brief on Pakistan's repatriation plan. But I thought it better to check with post overnight (Neil Hawkins CCed) so that we had the latest.

The attached cable from Islamabad gives a good read out.

But essentially under Pakistan's 'Illegal Foreigners' Repatriation Plan' (approved on 26 September), all refugees without legal status in Pakistan have until 1 November to voluntarily return home or face arrest and deportation s 47E(d) This cohort either entered Pakistan with **visas or other documents that have since lapsed or** entered illegally. **At least** 1.3 million Afghans fall within the scope of the announcement. It is highly unlikely that Pakistan **will** deport this number of people.

Pakistan claims the **measure is consistent with UNHCR 1373 to deny safe haven to those who finance, plan, support or commit terrorism**. It **claims** that 14 of the last 24 suicide attacks were carried out by Afghans. This year alone, over 700 Pakistanis have been killed in terror attacks, **most by the Pakistan Taliban (TTP)**. s 33(a)(iii)

High Commissioner Hawkins has **already raised with the Foreign Minister, Secretary of Interior and Special Representative to Afghanistan our concerns over Pakistan's decision a few months ago to stop allowing Afghans who were without valid Pakistani visas but who did have visas for Australia (and other third countries) from leaving Pakistan**. Prior to this change, Afghans with third country visas were typically allowed to depart, irrespective of their legal standing in Pakistan. Now, those departing must have third-country visas, as well as legal status in Pakistan. This has made the task of leaving Pakistan harder and increased the number of Australia-bound Afghans who now potentially may get caught up under this new measure.

**HOM has** a number of senior calls this week to express Australia's serious concerns **over the repatriation plan** and to urge Pakistan to **allow both our LEE and humanitarian cohorts with visas to leave for Australia**. The Post is also working closely with likemindeds and UN organisations in Islamabad to amplify these messages.

The new measure has potential consequences for the cohort of Afghans in Pakistan who have been granted Australian humanitarian visas but have not yet departed Pakistan, **as well as including LEE and their families**. Under the plan, they, and others with UNHCR-registered cards, face refoulement from 1 November. We are liaising with Home Affairs to get the exact numbers of how many LEE are impacted.

I will update you on developments in the days/weeks ahead.

Steven

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**From:** s 47F(1) @dfat.gov.au>  
**Sent:** Tuesday, 10 October 2023 11:07 AM  
**To:** Foreign Minister <foreign.minister@dfat.gov.au>; Lauren Henschke <Lauren.Henschke@dfat.gov.au>; s 22(1)(a)(ii) @dfat.gov.au>; PDMS-Support s 47E(d) @dfat.gov.au>; Steven Barraclough <Steven.Barraclough@dfat.gov.au>  
**Cc:** Anna Oldmeadow <Anna.Oldmeadow@dfat.gov.au>; s 47F(1) @dfat.gov.au>  
**Subject:** RE: [EXTERNAL] Afghan Refugees LEE Status ACIAR Projects Group: URGENT -

-

Lauren

See below from Gareth Evans.

From a process perspective we'll need a timely ministerial response @PDMS-Support.

From a policy perspective, can you confirm where we are up to with this cohort? s 47E(d), s 47C(1)

Steven, apologies if I have missed this, but I would welcome an update on this Pakistan announcement and impacts.

s 47F(1)

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**From:** Foreign Minister <foreign.minister@dfat.gov.au>  
**Sent:** Tuesday, 10 October 2023 9:38 AM  
**To:** s 47F(1) dfat.gov.au>  
**Cc:** Anna Oldmeadow <Anna.Oldmeadow@dfat.gov.au>; s 47F(1) @dfat.gov.au>  
**Subject:** FW: [EXTERNAL] Afghan Refugees LEE Status ACIAR Projects Group: URGENT [SEC=OFFICIAL]

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Hi s 47F(1)

Leaving with you – copying Anna for visibility.

Cheers,

s 22(1)(a)(ii)

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**From:** Gareth Evans <gareth.evans@anu.edu.au>  
**Sent:** Monday, 9 October 2023 4:59 PM  
**To:** Foreign Minister <foreign.minister@dfat.gov.au>; zz [External] Senator.Wong@aph.gov.au <Senator.Wong@aph.gov.au>  
**Cc:** s 47F(1) @dfat.gov.au>  
**Subject:** [EXTERNAL] Afghan Refugees LEE Status ACIAR Projects Group: URGENT

**CAUTION:** This email originated from outside the organisation. Do not click links or open attachments unless you recognise the sender.

Senator the Hon Penny Wong  
Minister for Foreign Affairs

Dear Penny

I write at the request of s 47F(1), a former close and senior colleague of mine at the International Crisis Group for whom I have the highest professional regard, who now works as a risk manager for the Mexico-based International Maize and Wheat Improvement Centre (CIMMYT), which organisation is part of the global network of the Consultative Group on International Agricultural Research (CGIAR) and has had a longstanding contractual relationship with AusAid.

The issue on which your help is sought relates to the LEE (Locally Engaged Employee) status of a group of some 60 locally-engaged Afghan staff who all worked on ACIAR (Australian Centre for International Agricultural Research)-funded research projects until the Taliban takeover. Aided by CIMMYT, they fled as refugees to Pakistan, and the organisation, through s 47F(1) is trying to help them migrate to Australia. Nearly all of them are agricultural specialists/agronomists with B.A.s or M.A.s in agronomy or other related topics, and have spent years working on ACIAR projects increasing crop yields and doing experimental agricultural development, all skills that Australia can use.

The plight of the group is now extremely urgent. The Pakistani government has given all Afghan refugees until **31 October** to leave Pakistan, even if they have UNHCR-issued documents. (CIMMYT began the UNHCR registration process, but UNHCR -- under pressure from the Pakistani government -- has now stopped issuing Proof of Registration cards, which are formally needed for refugees to have legal status and residency in Pakistan.) They have begun sweeps and arrests and deportations, and are cracking down across the country. They have already arrested one of the group (later released) and are pressuring the others.

As you will know LEE status is essential in order for the group to have successful immigration applications, and its members appear to clearly satisfy our LEE criteria, but ACIAR and/or DFAT have not so far made the relevant determination, notwithstanding the expectations created by the Thom Independent Review. I am of course conscious that the situation of this group is not unique, that the granting of LEE status is not the end of the story, and that you and the government have many other preoccupations, but the risk is very real of serious harm to them if they are forcibly returned to Afghanistan, and I would be deeply grateful if you and your FMO team could do everything possible to expedite the relevant decision-making, which will at least get them into our immigration queue.

Sincerely

Gareth

Professor the Hon Gareth Evans AC KC  
Foreign Minister 1988-96  
President Emeritus, International Crisis Group  
Distinguished Honorary Professor,  
Australian National University  
Mob: s 47F(1)  
Email: [ge@gevans.org](mailto:ge@gevans.org)  
Website: [www.gevans.org](http://www.gevans.org)

s 22(1)(a)(ii)

s 47E(d)

**Title:** Pakistan: 'illegal' Afghans ordered to leave by 1 November**MRN:** s 47E(d) 05/10/2023 08:27:52 AM ZE5**To:** Canberra**Cc:** RR : Bali Process Posts, Doha**From:** Islamabad**From File:****EDRMS****Files:****References:** s 47E(d)

The cable has the following attachment/s -  
UNHCR Key Advocacy Messages - 'Illegal Foreigners' Repatriation Plan' of  
Government of Pakistan - 3Oct2023.pdf  
IOM Flash Update - Returns of Undocumented Afghan Migrants from  
Pakistan.pdf  
Illegal Foreigners Repatriation Plan.pdf

**Response:** Routine, Information Only

## Summary

Pakistan has ordered Afghans illegally in Pakistan to leave voluntarily by 1 November, or face deportation back to Afghanistan—including those with recognised protection claims. Afghans are being blamed for the deteriorated security and economic situation in Pakistan, linking them to the growing number of terrorism incidents and the devaluation of currency. If implemented, the Government's new Illegal Foreigners' Repatriation Plan could have significant implications for Australia's humanitarian and refugee interests in Pakistan.

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On 26 September, Pakistan approved a new 'Illegal Foreigners' Repatriation Plan'. If implemented, the Plan will have significant impacts on Afghans in Pakistan and Australia's interests.

s 33(a)(iii), s 33(b)



s 22(1)(a)(ii)

s 47E(d)

s 33(a)(iii), s 33(b)

**Protection issues**

5. Although not a signatory to the United Nations Convention 1951 on Refugees, Pakistan has generally respected the principle of non-refoulement over the past four decades by providing protection against forced return and supporting voluntary returns in a safe and dignified manner. However, any implementation of this new Plan would contradict its long-standing domestic acceptance support for Afghan refugees.

6. Further, the Plan threatens the human rights of Afghans if they are forcibly returned to Afghanistan. The situation in Afghanistan remained precarious and any large-scale return could destabilise an already fragile security and economic situation. Any action to do so could create a new cohort of Internally Displaced Persons (IDPs) in Afghanistan, as generations of Afghans have been born in Pakistan and many of whom have never been to Afghanistan. s 33(a)(iii), s 33(b)

**Resettlement and humanitarian visa operations**

7. Implementation of the Plan, coupled with restrictions for exit permits for undocumented Afghans in Pakistan, will have significant implications for our refugee and humanitarian visa operations. Although no formal policy on exit permits has yet been announced, the refusal to issue exit permits to undocumented Afghans prevents those with visas to Australia from being able to leave Pakistan lawfully. Further, the ongoing difficulties in obtaining exit permits for undocumented Afghans significantly reduces the pool of Afghans in Pakistan able to travel to Australia once granted a humanitarian or refugee visa. s 33(a)(iii), s 33(b)

8. The introduction of the Plan, and existing limited options for durable resettlement for Afghans in Pakistan, could also present downstream irregular migration risks. Afghans affected may look for irregular migration options as an alternative to returning to Afghanistan.

s 33(a)(iii)

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s 22(1)(a)(ii)

s 47E(d)

s 33(a)(iii)

s47E(d)

text ends

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**Sent by:** s 22(1)(a)(ii)

**Prepared** s 22(1)(a)(ii)

**by:**

**Approved** Chargé

**by:**

**Topics:** IMMIGRATION & ENTRY CONTROL/People Smuggling, IMMIGRATION & ENTRY CONTROL/Refugees,  
POLITICAL-ECONOMIC/International Political



# INCREASED RETURNS OF UNDOCUMENTED AFGHAN MIGRANTS FROM PAKISTAN AT THE TORKHAM AND SPIN BOLDAC BORDER CROSSINGS

## FLASH UPDATE

### OVERVIEW AND CONTEXT:

- Since 15 September, IOM has observed a spike in returns of undocumented Afghan migrants both at the Torkham (Nangarhar/East) and the Spin Boldak (Kandahar/South) border crossings. The average daily return figure for undocumented Afghan migrants through Torkham increased from 85 individuals from 1-14 September to 707 individuals from 15-24 September, representing a more than 8-fold increase in return flow. The average daily return figure for undocumented Afghan migrants passing through Spin Boldak border crossing increased from 176 individuals from 1-14 September to 435 individuals from 15-24 September, representing an almost 2.5-fold increase in return flow.
- This increase in returns followed announcements by Pakistan's Interior Minister that the Government intends to take "strong measures against illegal immigrants in the country", as well as reported crackdowns and detentions of Afghan undocumented migrants by Pakistani authorities.
- These developments come against the backdrop of reported increased Tehreek-e-Taliban Pakistan (TTP) activity, including an incident in Chitral district of Khyber Pashtunkhwa province, Pakistan, during which a significant number of TTP members armed with advanced weaponry launched an attack on two military check posts, killing reportedly four Pakistani soldiers.
- Further, the month of September also witnessed tensions between De-facto Authorities (DfA) and Pakistan. The Torkham border crossing was closed on 6 September after security forces on both sides reportedly exchanged fire in response to allegations that Taliban authorities had unilaterally begun constructing a new checkpoint near Torkham. The border was reopened on 15 September, reportedly after the Taliban's foreign minister, Amir Khan Muttaqi, promised to Islamabad's acting ambassador in Kabul that the group would not permit the use of Afghan soil to carry out acts of terrorism against Pakistan.
- Several reports indicating that the Pakistan interim Government's plans to repatriate Afghan populations have coincided with the increase in returns. According to news reports, the Pakistani caretaker federal cabinet approved the decision to repatriate as many as 1.1 million Afghans who are living in the country without documentation.

### RETURNS AND TORKHAM AND SPIN BOLDAC BORDER CROSSINGS

#### Return Figures:

In September 2023, 14,807 undocumented Afghan migrants returned from Pakistan through the Torkham and Spin Boldak border crossing points, almost doubling the return figures seen in August (7,578). IOM assisted 14,742 of returning individuals (99.6%) with immediate post-arrival humanitarian assistance.

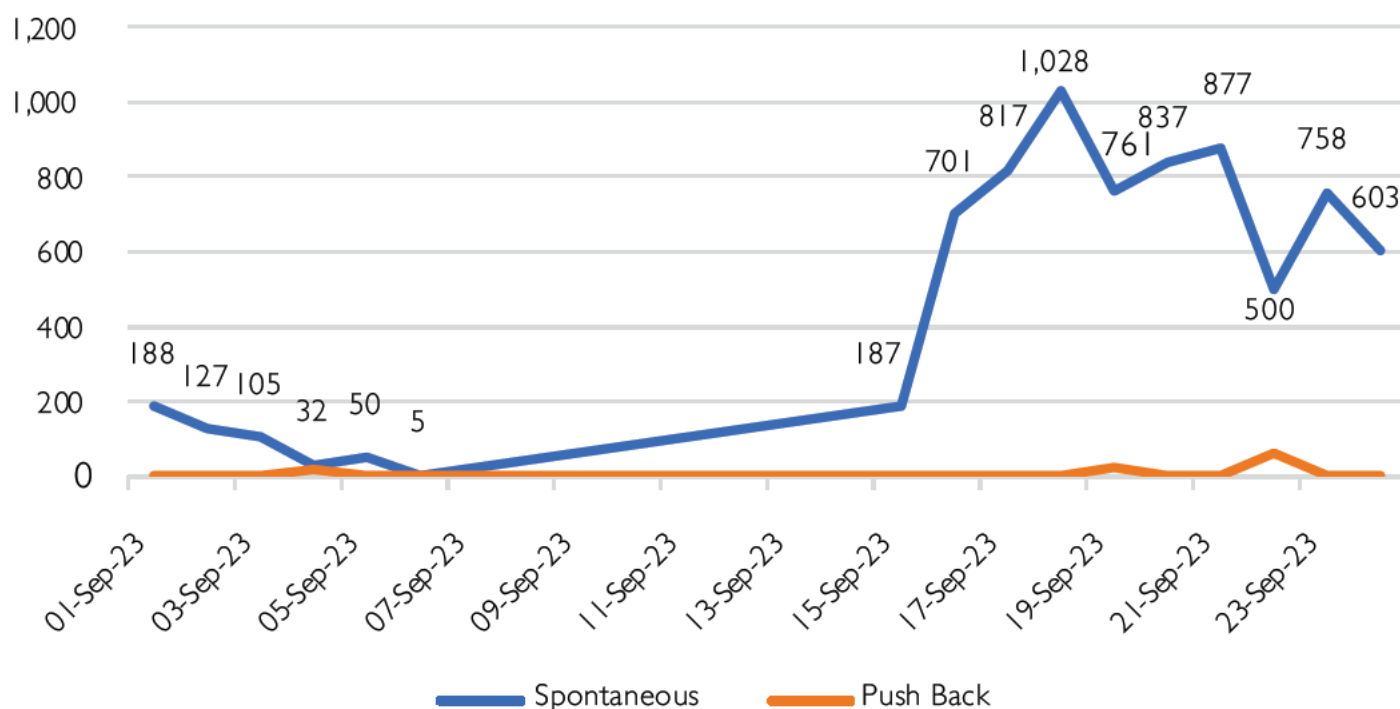
#### a. Torkham:

Though the Torkham border crossing in Nangarhar province was open at the beginning of September, it remained closed between 7 and 14 September due to a clash between Afghan and Pakistani border forces. The significant increase in returns of undocumented Afghan migrants from Pakistan through the Torkham border started from 15 September—just after the re-opening of the border crossing. The average daily return figure for undocumented Afghan migrants through Torkham until 15 September was 85 individuals. This was a sharp

contrast with the average daily return figure for undocumented Afghan migrants through the same border crossing between 15 and 24 September which rose to 707 individuals, representing a more than 8-fold increase in return flow. From the total caseload of returning Afghan migrants, 99% returned spontaneously and 1% were pushed back.

The higher percentage of spontaneous returns might be connected to the recent reported immigration crackdowns and statements made by Pakistani authorities, with returnees trying to pre-empt push-backs and choosing to voluntarily return instead in order to prevent detentions etc or other negative outcomes.

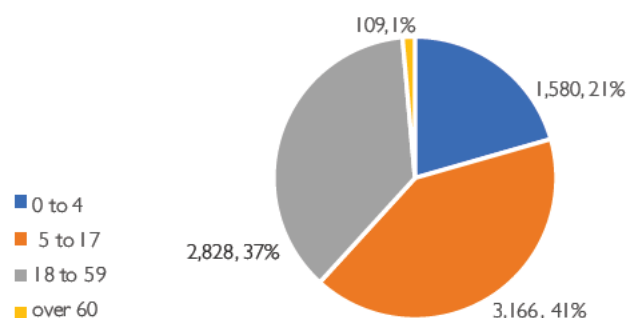
Daily Return from Pakistan Through Torkham



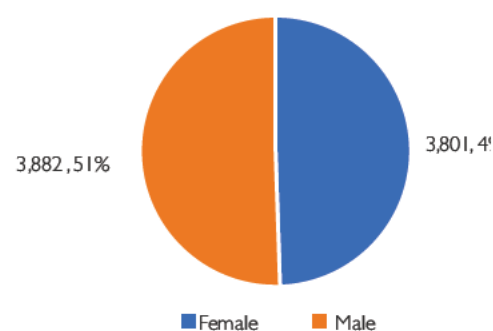
Gender and age breakdown:

< 5*		5 - 17		18 - 59		≥ 60		TOTAL
M	F	M	F	M	F	M	F	
786	794	1,678	1,488	1,372	1,456	46	63	7,683

Age Groups Breakdown



Gender Breakdown

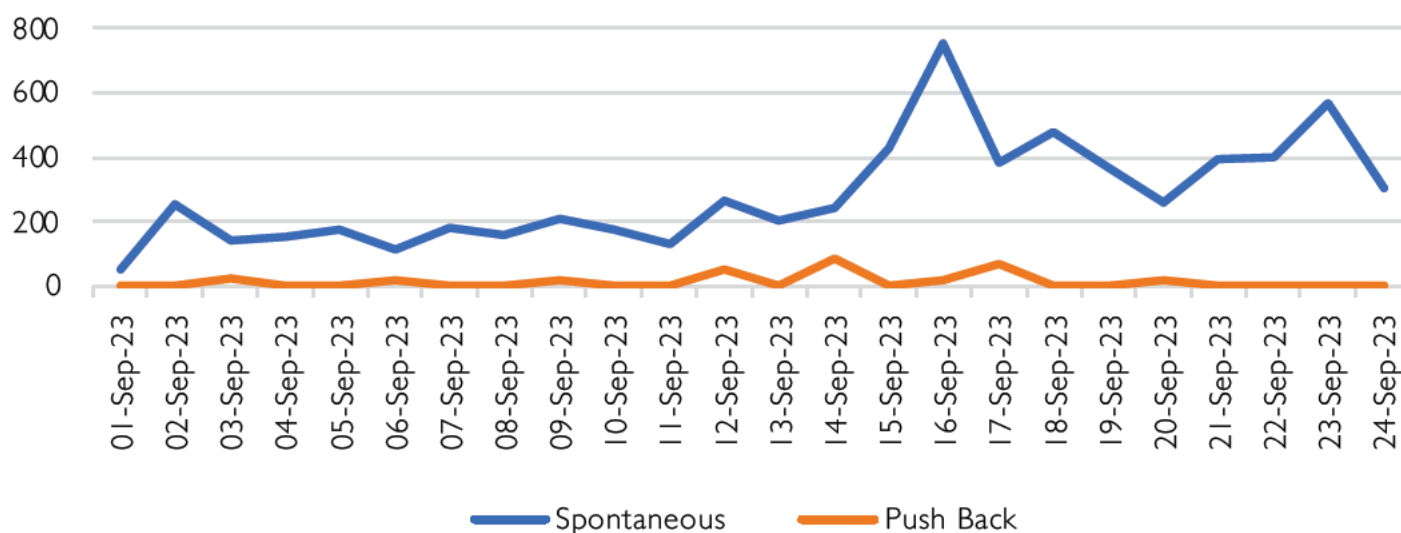


IOM assisted 7,683 (100%) undocumented Afghan migrants with immediate post-arrival humanitarian assistance in Torkham – all IOM assisted beneficiaries were able to access available services provided by partner agencies such as; mine risk education, mobility support, case management and reunification support for unaccompanied or separated children, legal advice, basic medical support, psychosocial support and the provision of child friendly spaces.

### b. Spin Boldak:

Similar to the case seen in Torkham, since 15 September, IOM has noted a significant increase in return flow of undocumented Afghan migrants from Pakistan through the Kandahar province Spin Boldak border crossing point. Prior to the 15 September, the average daily return figure for undocumented Afghan migrants passing through the same border crossing was 176 individuals; between 15 and 24 September, this number rose to 435 individuals, representing an almost 2.5-fold increase in return flow. From the total return, 95% returned spontaneously and 5% were pushed back.

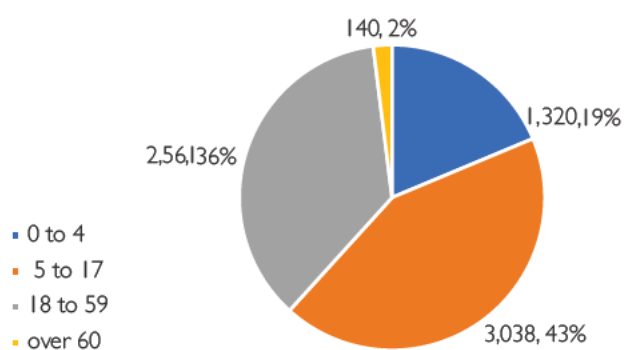
Daily Return from Pakistan Through Spin Boldak



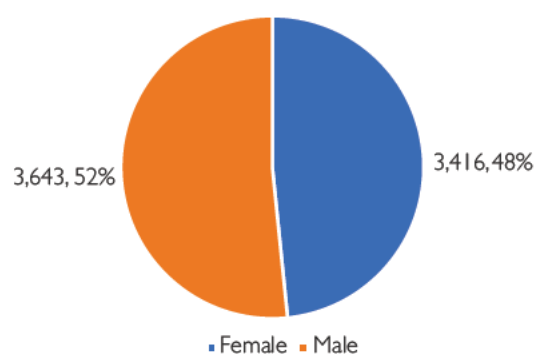
Gender and age breakdown:

< 5*		5 - 17		18 - 59		≥ 60		TOTAL
M	F	M	F	M	F	M	F	
671	649	1,579	1,459	1,331	1,230	62	78	7,059

Age Groups Breakdown



Gender Breakdown



## PROFILE OF RETURNEES

A total of 99.6 percent of undocumented Afghan migrants who returned from Pakistan through Torkham and Spin Boldak arrived in families with an average family size of six individuals, which is reflected on the high number of children and the equal almost number of male and female returnees. From the total return caseload, 17 percent of these families were female-headed households.

The disparity between the much higher increase in return flow through Torkham and the relatively lower increase in return flow through Spin Boldak can be partially explained by the recent alleviation of movement restrictions at the Torkham border crossing which before made it impossible for returnees to cross without their Tazkira national ID card. With these restrictions now lifted at the Torkham border, individuals and families are able to pass back into Afghanistan without such identification.

Reports indicate that in August, there was an increase in the number of PoR card holders amongst the observed returnees entering through the Pakistani border; despite this spike, the same has not been observed in September.

## RESPONSE

IOM deployed additional staff from other provinces and mobilized resources to address the surge number of returnees coming through Torkham and Spin Boldak borders and assisted 100% of all undocumented Afghan migrants with immediate post-arrival humanitarian assistance returning from Pakistan. IOM assistance includes medical and psychosocial screening as well as vulnerability screening. Based on any specific needs and established referral mechanisms, individuals are referred if needed to relevant partners for further support. Selected individuals who meet the vulnerability criteria are then provided with hot meals before being transported to IOM managed Transit Centres. At the Transit Centres IOM provides overnight accommodation (until departure to final destination). Each beneficiary receives an IOM beneficiary card and a unique registration number. In addition, IOM provides cash assistance to facilitate the transportation of returnees to final destinations as well as purchase of basic household items as a cash for NFI package. For the most vulnerable, IOM also provides a phone for follow up contact and further information on contacting relevant persons or organizations in Afghanistan as needed.

## IOM PREPAREDNESS

In addition to scaling up its immediate capacity at the Torkham and Spin Boldak borders, IOM has taken measures to continue to provide assistance to high number of returnees in case this rate of inflow persists. To this end, in Spin Boldak IOM identified additional land at the reception center to be used as waiting/rest areas and is working to expand dining and WASH facilities. In Torkham similar efforts are ongoing to expand the same facilities. In the transit centers efforts are in place for an expansion in overnight accommodation capacity. Personnel from other provinces are on standby to deploy if the spike in returns continues. IOM is coordinating with partner agencies to accommodate a multi-agency and multi-sectoral scale up at the border.

Under the Emergency Shelter and Non-Food Items (ESNFI) programme, IOM has prepositioned emergency stocks across strategically positioned warehouses in thirteen locations; the emergency response team are on standby to assess and provide assistance across the 34 provinces as well as to receive referrals for the distribution of in-kind items and cash winterization assistance. For 2023 winterization plan, IOM will be able to support up to 40% of its allocated funds for returnees, which corresponds to up to 15,000 families). IOM has CCCM mobile outreach teams on standby to support and ensure the provision of humanitarian assistance and other essential services to returnees through coordination, data/information collection/dissemination and surveillance.





## UNHCR Key Advocacy Messages in Response to

### The “Illegal Foreigners’ Repatriation Plan” Issued by the Government of Pakistan

1. **Acknowledge national security, economic and political concerns**, alongside the delicate domestic acceptance of Afghan refugees and asylum seekers in Pakistan, and the sovereign prerogative of the Government to regulate and manage its borders. **Call on them to remain a global example of refugee protection stewardship** as they have been for 40 years; expressing appreciation to Pakistan for its decades-long commitment to Afghan refugees.

Background:

*Throughout the past four decades, Pakistan has demonstrated respect for the principle of non-refoulement providing protection against forced return and acknowledged that returns should be voluntary and carried out in safety and dignity. These principles are also enshrined in the Tripartite Agreement between the Governments of Afghanistan and Pakistan, as well as UNHCR.*

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2. **Advise them to put in place measures to develop a system of registration for undocumented Afghans**, who are residing in Pakistan which would be in the national security interest of the country while ensuring protection for vulnerable Afghans in need of international protection. UNHCR remains committed to supporting the Government throughout this process.

Background:

*Those fleeing persecution often do not have the necessary documents and travel permissions and Afghans who have fled since August 2021 and might be in need of international protection are not able to regularize their stay in Pakistan due to a lack of a national asylum system. They are therefore exposed to risks of arrest, deportation, homelessness alongside lack of support to cover basic needs.*

*In the absence of a national asylum system or policy for the management of Afghan refugees, UNHCR implemented its mandate function by registering asylum seekers and issued an Asylum-Seeker Certificate to the registered individuals in line with the 1993 Cooperation Agreement between UNHCR and the GoP. Pakistani authorities customarily accepted the Asylum-Seeker Certificate as a document to ensure legal stay, protection from refoulement, freedom of movement, mitigate risk of arrest and detention, facilitate access to housing, as well as education and health. However, since January 2022, pursuant*

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*to a Note Verbale issued by the Ministry of Foreign Affairs advising UNHCR to discontinue the issuance of Asylum-seeker Certificates and refer all asylum applications to the Ministry of Interior and Ministry of Foreign Affairs, UNHCR has ceased its issuance while registration activities continued with the focus on the individuals facing heightened protection risks.*

*UNHCR continues to engage with key government interlocutors to agree on the way forward for continuing mandate registration functions whilst a transition arrangement to a government-led mechanism is pursued, with UNHCR assistance as required. In parallel, UNHCR continues to advocate with the GoP for the establishment of a national asylum system, which would ensure access to asylum, registration and documentation and provide the GoP with accurate data on the individuals seeking asylum.*

*UNHCR stands ready to support Pakistan in developing a mechanism to manage and identify people in need of international protection.*

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- 3. Underscore the precarious situation within Afghanistan,** and the risks of sending back hundreds of thousands of Afghans. Large-scale return at this time could be destabilizing in view of the fragile security and economic conditions in Afghanistan.

*Background:*

*UNHCR released non-return advisories for Afghanistan in August 2021, in February 2022 and in February 2023 - calling for a bar on forced returns of Afghan nationals, including asylum seekers who have had their claims rejected, given the ongoing humanitarian and human rights concerns in Afghanistan. Those seeking international protection must not be returned to their country of origin when their lives or freedom would be in danger on account of their race, religion, nationality, membership of a particular social group or political opinion, or from generalized violence.*

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- 4. Reaffirm UNHCR's and the international communities' efforts to mobilize financial and technical resources** to expand the humanitarian response inside Afghanistan, as well as to support existing and new needs in hosting countries for refugees, asylum seekers and host communities, in the spirit of international responsibility and burden-sharing.

s 22(1)(a)(ii)

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**From:** s 22(1)(a)(ii)  
**Sent:** Monday, 23 October 2023 11:13 AM  
**To:**  
**Cc:** s 47F(1) Steven Barraclough; s 22(1)(a)(ii)  
**Subject:** Pakistan's plans for refoulement of Afghans - update -  
**Attachments:** Pakistan Afghans Update on repatriation plan.docx

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Hi s 47F(1)

For your information, please see cable from Islamabad about recent discussions on Pakistan's plans to refoule Afghans illegally in Pakistan. s 47E(d), s 33(a)(iii)

Please note the cable raises whether we could consider 'loaning' the exit permit fee (USD 830 per person) for LEE who have visas (para 17), which is being done by several countries. Home Affairs notes that if it were to pay the fee for all those on humanitarian visas, the resettlement program would be significantly affected.

Kind regards,

s 22(1)(a)(ii)

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Director, Mainland South and Central Asia Political Section  
Mainland South and Central Asia Branch | South and Central Asia Division  
P s 22(1)(a)(ii) | M s 22(1)(a)(ii)

s22(1)(a)(ii)

s 47E(d)

**Title:** Pakistan: Afghans: Update on repatriation plan  
**MRN:** s 47E(d) 20/10/2023 11:30:28 AM ZE5  
**To:** Canberra  
**Cc:** RR : Bali Process Posts, Doha  
**From:** Islamabad  
**From File:**  
**EDRMS**  
**Files:**  
**References:** s 47E(d)  
The cable has the following attachment/s -  
UNHCR - IOM Flash Update #1 Pakistan 19 Oct 2023.pdf  
**Response:** Routine, Information Only

### Summary

Pakistan's Illegal Foreigners' Repatriation Plan and exit permit process continues to raise concern as the 1 November deadline for deportation approaches. s 33(a)(iii)

Post continues advocacy to remove the exit permit fee for humanitarian visas and to extend the 31 December deadline. s 33(a)(iii)  
Australia's evacuation and resettlement program continues to be impacted.

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Cable provides an update and summarises Post representations on Pakistan's Illegal Foreigners' Repatriation Plan (IFRP) and exit permit process.

2. s 33(a)(iii), s 33(b)

Pakistan is moving forward with its plan as announced with the support of the Chief of Army Staff who said he has "directed all concerned to support and facilitate the smooth, respectable and safe repatriation and deportation of all illegal foreigners".

s 33(a)(iii), s 33(b)

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s 22(1)(a)(ii)

s 47E(d)

s 33(a)(iii), s 33(b)

9. Although practical steps have been taken by the government to implement an exit permit process, including updates to the Ministry's (NADRA) online application portal, a policy is yet to be shared formally with missions and the UN.

s 33(a)(iii)

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s 22(1)(a)(ii)

s 47E(d)

s 33(a)(iii), s 33(b)

14. This increase in push factors is reflected in the high number of Afghans departing 'voluntarily' since the announcement of the new Plan. IOM outflow data (attached) reports 59,780 persons returned to Afghanistan (96 per cent voluntary; 2 per cent facilitated; 2 per cent deported) for the period 15 September to 15 October 2023. Daily increases have surged from an estimated 964 persons per day on 5 October to 4,470 persons on 14 October. For voluntary returns, a significant portion (78 per cent) cited fear of arrest as their reason for departing.

#### **Comment**

15. s 33(a)(iii)

16. Post continues advocacy on the Plan and will continue to engage with likemindeds, UNHCR and IOM, and raise in representations to the government. In particular, we are requesting the removal of the exit permit fee for humanitarian visas, a continued and open pathway for Australian visa holders (to Australia) beyond 31 December, and for a registration process to document Afghans currently undocumented s 33(a)(iii), s 47C(1)

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s 22(1)(a)(ii)

s 47E(d)

s 33(a)(iii), s 47C(1)

s 47E(d)

text ends

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**Sent by:** s 22(1)(a)(ii)  
**Prepared by:**  
**Approved by:** HOM  
**Topics:** IMMIGRATION & ENTRY CONTROL/People Smuggling, IMMIGRATION & ENTRY CONTROL/Refugees, POLITICAL-ECONOMIC/International Political



# UNHCR-IOM FLASH UPDATE #1

**ARREST AND DETENTION** FLOW MONITORING (15 September – 15 October 2023)

## INTRODUCTION

In response to the Ministry of Interior's (MoI) decision to enact an "Illegal Foreigners' Repatriation Plan" on 26 September 2023, UNHCR, the UN Refugee Agency and IOM, the UN Migration Agency, have collated their data on the arrest, detention, and deportation of Proof of Registration (PoR) holders, Afghan Citizen Card (ACC) holders, and undocumented Afghan nationals, as well as on the outflows of Afghan nationals at the Torkham and Chaman border crossing points, to better understand the protection environment and movements of Afghan nationals returning to Afghanistan from Pakistan.

## CHRONOLOGY

### 26 September 2023

The MoI in Pakistan internally issued its "Illegal Foreigners' Repatriation Plan" to government institutions. The plan outlines that the "repatriation" of Afghan nationals will take place in three phases, starting with the identification and deportation of illegal, unregistered, and overstaying foreigners, with the second phase seeking to deport ACC holders, and the third phase seeking the forced repatriation of PoR holders.

### 3 October 2023

The MoI formally announced the decision by the caretaker government of Pakistan, to give a deadline of 1 November 2023 for all "illegal foreigners" to leave Pakistan, or else face expulsion.

### 7 October 2023

UNHCR and IOM issued a [joint statement](#) urging the Government of Pakistan to maintain the protection space for Afghan nationals in need of safety.

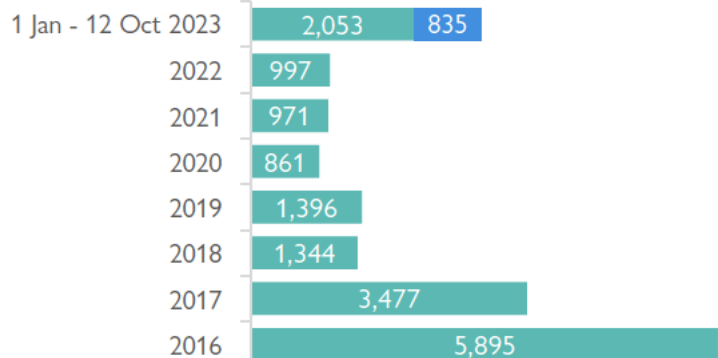
### 10 October 2023

Under the Ministry of States and Frontier Regions (SAFRON), the Chief Commissionerate for Afghan Refugees (CCAR) issued a [government-wide circular](#), stating that PoR and ACC holders, are allowed to reside temporarily in Pakistan and can only be repatriated on a voluntary basis.

### 9 and 16 October 2023

The Home Departments of Balochistan and Sindh, issued a provincial-wide circular stating that Afghan nationals with valid PoR cards or ACC documents can only be repatriated on a voluntary basis, unless they are involved in criminal activities.

## ARREST AND DETENTION BY YEARS


■ PoR/Asylum Seekers

■ ACC/Undocumented

## % OF ARRESTS BY LOCATION 1-12 OCTOBER 2023



<span style="color: blue;">●</span>	Balochistan	49%
<span style="color: blue;">●</span>	Khyber Pakhtunkhwa	22%
<span style="color: yellow;">●</span>	Punjab	14%
<span style="color: green;">●</span>	Sindh	9%
<span style="color: orange;">●</span>	Islamabad/AJK	6%

## KEY FINDINGS AND LIMITATIONS

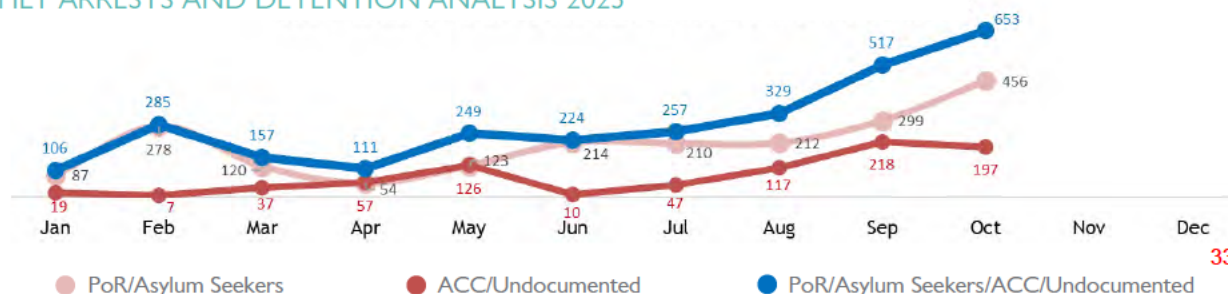
It is important to note that prior to 2023, there was no data collected on the arrest and detention of ACC holders or undocumented Afghan nationals. Since January 2023, IOM has started to collect this data, which should be considered indicative at this point. The figures, particularly of undocumented Afghan nationals, should be considered underreported.

- In comparing the rate of arrest and detention of PoR holders, as collected by UNHCR, for the months of October 2022 and October 2023, the rate has increased by six-fold.
- Since the issuance of the "plan", the rate of arrest has been highest in the province of Balochistan, making up almost half of all arrests in Pakistan.

## MONTHLY ARRESTS AND DETENTION TRENDS 2022-2023 (PoR HOLDERS)



## MONTHLY ARRESTS AND DETENTION ANALYSIS 2023







# UNHCR-IOM FLASH UPDATE #1

ARREST AND DETENTION FLOW MONITORING (15 September – 15 October 2023)



IOM DTM enumerator collecting flow monitoring data at Torkham border. [IOM Pakistan 2023]

## KEY FINDINGS

- During the reporting period, UNHCR and IOM's Displacement Tracking Matrix (DTM) estimate a total of 59,780 Afghans returned through the Torkham and Chaman border crossing points to Afghanistan. Of these, 57,202 individuals spontaneously returned (96%), 1,567 individuals were facilitated by UNHCR (2%), and 1,011 individuals were forced to return (2%).
- The vast majority of the returnees were undocumented Afghans (95%), followed by ACC holders (3%) and PoR holders (2%).
- Fear of arrest (78%) was the most common reason among returnees to return to Afghanistan.
- Returnees were most likely to return from Punjab (35%) in Pakistan and intend to go to Nangarhar (23%), Kabul (21%) and Kandahar (21%) in Afghanistan.

**59,780 (100%)**  
TOTAL NUMBER OF RETURNS


**57,202 (96%)**  
TOTAL SPONTANEOUS RETURNES


**1,567 (2%) \***  
TOTAL FACILITATED PoR RETURNES


**1,011 (2%)**  
TOTAL DEPORTATIONS

## DOCUMENTATION CATEGORY OF RETURNES



Undocumented 95%

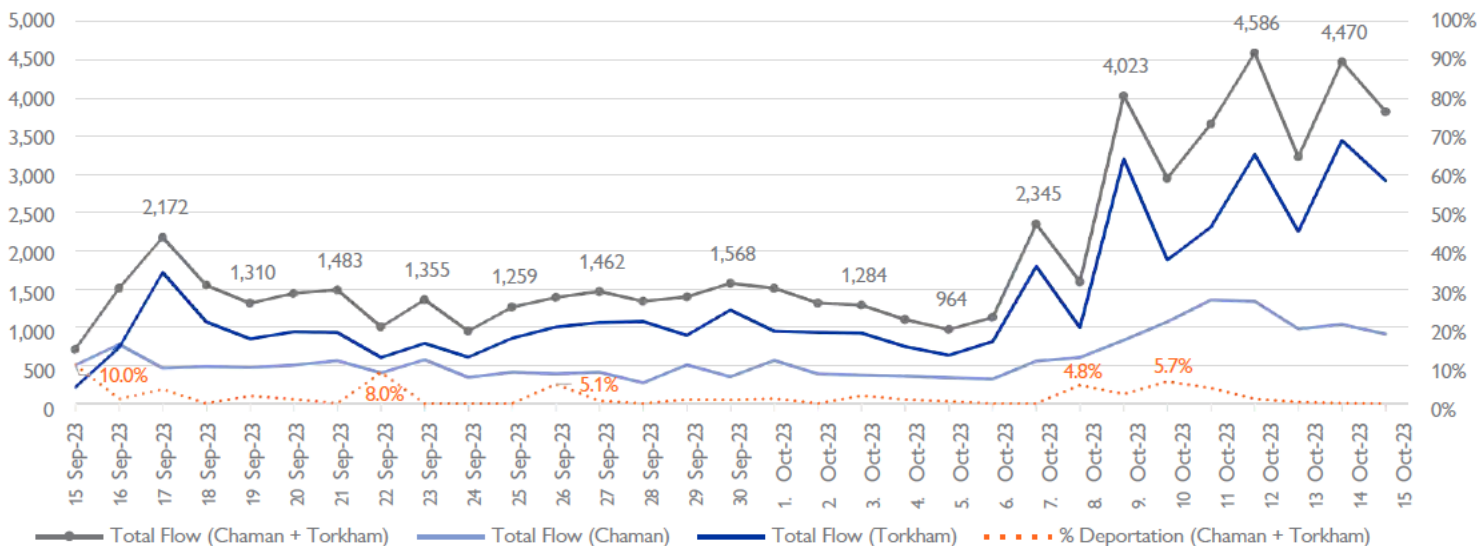


ACC holder 3%



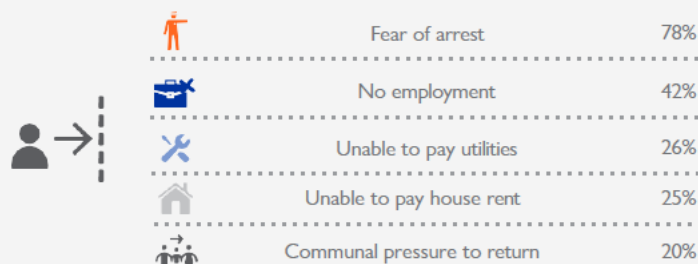
PoR holder \*\* 2%

## TOTAL RETURNS AND % DEPORTATIONS | TORKHAM AND CHAMAN | 15 SEPTEMBER 2023 UNTIL 15 OCTOBER 2023



This section only applies to ACC holders and undocumented Afghans

## PUSH FACTORS (Multiple answers, N = 2,650, can exceed 100%)



## ORIGIN AND INTENDED DESTINATION (TOP 5, BY PROVINCE)

### PROVINCE OF ORIGIN

### PROVINCE OF DESTINATION

1. Punjab	35%	1. Nangarhar	23%
2. Balochistan	23%	2. Kabul	21%
3. Khyber Pakhtunkhwa	23%	3. Kandahar	21%
4. Sindh	14%	4. Kunduz	6%
5. Islamabad Capital Territory	4%	5. Laghman	4%



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**From:** Steven Barraclough  
**Sent:** Wednesday, 25 October 2023 10:35 PM  
**To:** s 47F(1)  
**Cc:** s 22(1)(a)(ii) ; Gary Cowan; Julie Heckscher; s 22(1)(a)(ii) ; Lauren Henschke;  
s 22(1)(a)(ii) s 47F(1) Dimity Paul  
**Subject:** brief on refoulement -  
**Attachments:** Senate Estimates template - New - 23-519 (006).docx

-

s 47F(1)

Here is the material sent earlier this evening reformatted into a sen ests brief as you requested.

It incorporates s 47F(1) response to your query about the different dates.

Steven

## Pakistan - Refoulement of Afghans

**Handling Note:** FAS SXD *Gary Cowan* to lead on advocacy, FAS RLD *Julie Heckscher* to lead on LEE. All questions on visas for Home Affairs.

### Key Messages

- The High Commission in Islamabad is advocating vigorously for Pakistan to act with restraint and allow all Afghans with valid immigration status to leave for Australia.
- We are prioritising those LEE cohorts we have identified as most likely to be able to be quickly certified.

### What is DFAT doing to ensure Afghans being processed for Australian visas in Pakistan are not sent back to Afghanistan?

- We are concerned that Pakistan has set a deadline of 1 November to repatriate undocumented Afghan refugees currently residing in Pakistan.
  - The Australian High Commission in Islamabad has urged Pakistan, in concert with likemindeds and UN agencies, to act with restraint and moderation in its treatment of Afghan refugees and asylum seekers.
  - : We also are strongly urging Pakistan to implement consistent and streamlined exit permit policies that allow all Afghans with valid immigration status to leave for Australia.

### What about Locally Engaged Employees?

- We are prioritising those LEE cohorts we have identified as most likely to be able to be quickly certified
  - so the people we are likely to be able to help are processed as quickly as possible and can then apply for humanitarian visas.

### What about timing of processing of humanitarian visas?

- Questions on visas are for Home Affairs
  - DHA and DFAT are working closely together in our High Commission in Islamabad.

### Is the Department considering chartered flights?

- No. There are a number of regular commercial flights out of Pakistan and on to Australia on which seats are available.

### Background

Afghans in Pakistan without a current visa or papers have until 1 November to leave before deportation processes begin. All applications for exit permits for Afghans in Pakistan illegally

Pakistan - Afghan Refoulement

or without current visas but who have visas for third countries need to be submitted by 31 December.

Post continues advocacy on the Pakistan's policy and will continue to engage with likemindeds, UNHCR and IOM, and raise in representations to the government. In particular, post is requesting the removal of the exit permit fee for humanitarian visas (USD 830 per person), and a continued and open pathway for Australian visa holders (to Australia) beyond 31 December.

<b>Prepared by:</b> <b>s 22(1)(a)(ii)</b> Mob: <b>s 22(1)(a)(ii)</b> Ext: <b>s 22(1)(a)(ii)</b> Date: 25 October 2023	<b>Cleared by Branch Head:</b> Steven Barraclough Mob: <b>s 22(1)(a)(ii)</b> Ext: <b>s 47E(d)</b> Date: 25 October 2023
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**From:** Steven Barracclough  
**Sent:** Thursday, 26 October 2023 7:38 AM  
**To:** s 47F(1) Dimity Paul  
**Cc:** Gary Cowan; s 22(1)(a)(ii) ; Julie  
Heckscher; Lauren Henschke  
**Subject:** Fwd: Afghans: deadline for deportation approaching  
**Attachments:** Pakistan Afghans deadline for deportation.docx; TPN - Afghan Refugees - 24 October 2023.pdf; UNHCR - IOM Flash Update 2 Pakistan 25 Oct 2023.pdf

-

Colleagues

Overnight update from Islamabad.

s 33(a)(iii)

s 47C(1)

Steven

---

**From:** "Neil Hawkins" <[Neil.Hawkins@dfat.gov.au](mailto:Neil.Hawkins@dfat.gov.au)>  
**Date:** Thursday, 26 October 2023 at 12:42:17 am  
**To:** "Steven Barracclough" <[Steven.Barracclough@dfat.gov.au](mailto:Steven.Barracclough@dfat.gov.au)>  
**Cc:** "Gary Cowan" <[Gary.Cowan@dfat.gov.au](mailto:Gary.Cowan@dfat.gov.au)>, s 22(1)(a)(ii) @dfat.gov.au, s 22(1)(a)(ii) @dfat.gov.au  
**Subject:** Afghans: deadline for deportation approaching

-

Hi Steven  
Pls find update on Afghan situation.  
Regards  
Neil

Neil Hawkins  
High Commissioner  
Australian High Commission, Islamabad, Pakistan  
T: s 22(1)(a)(ii)  
[Pakistan.Embassy.gov.au](http://Pakistan.Embassy.gov.au) | [Twitter](https://twitter.com/AusEmbassyIslamabad) | [Facebook](https://www.facebook.com/AusEmbassyIslamabad)



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s 22(1)(a)(ii)

s 47E(d)

**Title: Pakistan: Afghans: deadline for deportation approaching****MRN:** s 47E(d) 25/10/2023 06:19:02 PM ZE5**To:** Canberra**Cc:** RR : Doha**From:** Islamabad**From File:****EDRMS****Files:****References:** s 47E(d)

The cable has the following attachment/s -

TPN - Afghan Refugees - 24 October 2023.pdf

UNHCR - IOM Flash Update 2 Pakistan 25 Oct 2023.pdf

**Response: Routine, Information Only**

### Summary

Undocumented Afghans with visas to Australia risk deportation come 1 Nov if they have not been registered. MoI informed Post that we must submit a list of names of those undocumented Afghans who have visas to Australia to the Ministry of Foreign Affairs by 30 Oct to prevent them being deported. Post is seeking Afghan visas holders' consent to do so but is unlikely to be able to reach all by 1 Nov. Those registered will have until 31 Dec to obtain an exit permit to leave. Meanwhile, the UK has recommenced charter flights. Post continues to stress to the Government our concerns over the process and to it charging fees for exit permits for refugees/humanitarian cases.

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Cable provides an update and summarises Post representations on the exit permit process affecting Afghans (all other Australian visa holders and Australian citizens) in Pakistan.

s 33(a)(iii), s 33(b)

s 22(1)(a)(ii)

s 47E(d)

4. A further complicating factor is the fee for exit permits of USD 830 (plus credit card transaction fees) per person. Many of our evacuation and humanitarian visa holders are simply not able to pay. s 33(a)(iii), s 33(b)

5. Further to the deportation deadline, all exit permits for undocumented Afghans must be applied for by 31 December (and will be valid for 30 days after issuance). s 33(a)(iii)

### **UK resumes flights to evacuate Afghans from Pakistan**

6. The UK has re-commenced charter flights for Afghans from Pakistan as part of its evacuation program. s 33(a)(iii), s 33(b)

### **Afghans increasingly worried**

7. So far, over 80,000 undocumented Afghans in Pakistan have departed 'voluntarily' according to the IOM and they continue to depart at about 4,000 per day crossing the border (a four fold increase compared to this time last month). s 33(a)(iii)

### **Comment**

8. The 1 November deportation deadline for undocumented Afghans is causing immediate concern. This leaves undocumented (i.e. those without a valid Pakistan visa) Australian visa holders, and undocumented Australian citizens and permanent residents from Afghanistan at risk of deportation. s 33(a)(iii), s 47C(1)

9. Home Affairs at Post is seeking advice on: a) whether to provide a list of names to MOFA (after consent has been obtained); b) which visa categories are to be prioritised (i.e. Afghan locally engaged employee cases, family visas, humanitarian visas); and c) resources available to consider paying the exit permit fee (and for which cases), in particular for LES and Australian citizens who have visas for Australia.

s 22(1)(a)(ii)

s 47E(d)

s 47E(d)

11. HOM comment: Perhaps consideration can be given to Post submitting the names of all Afghans with visas to Australia to the MoI as soon as possible without first receiving consent. While conscious of possible privacy issues, as Post is unlikely to be able to obtain consent from many Afghans with Australian visas, then we risk seeing some arrested and possibly deported. The Pakistani Government could then claim it had not received information from Australia identifying these Afghans as Australian visa holders.

text ends

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**Sent by:** s 33(a)(iii)

**Prepared  
by:**

**Approved** HOM  
**by:**

**Topics:** IMMIGRATION & ENTRY CONTROL/People Smuggling, IMMIGRATION & ENTRY CONTROL/Refugees,  
POLITICAL-ECONOMIC/International Political





s 33(a)(iii)

Afghan refugees	1/6/2023
Afghan refugees	20/7/2023
Afghan refugees	25/7/2023
Afghan refugees	7/25/2023
Afghan refugees	8/23/2023
Afghan refugees	31/8/2023
Afghan refugees	10/11/2023
Afghan refugees	10/13/2023
Afghan refugees	10/17/2023
Afghan refugees	10/17/2023

	HOM rep on exit permits
HOM	HOM rep on exit permits
HOM	HOM rep on exit permits
HOM	Raised Pakistan's changes to exit permit system, and potential implications for Australia
HOM	HOM reps on exit permit fees
HOM	HOM rep on exit permits
DHOM & HA	Exit permits
HOM	Exit permits
HOM	HOM made representations on Pakistan's Illegal Foreigners Repatriation Plan and exit permit issue
HOM	Exit permits

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**From:** Steven Barraclough  
**Sent:** Thursday, 26 October 2023 9:54 AM  
**To:**  
**Cc:** Lauren Henschke; ; Gary Cowan; ; Dimity Paul  
**Subject:** RE: Request for Assistance: Afghan Nationals in Pakistan without Valid Visas that are waiting for Australian Visas  
**Attachments:** RE: Request for Assistance: Afghan Nationals in Pakistan without Valid Visas that are waiting for Australian Visas - ; Afghan refugees reps (003).docx

s 47F(1)

Please find in the attached email. And also attached as a word doc.  
 Steven

---

**From:** s 47F(1) @dfat.gov.au>  
**Sent:** Thursday, 26 October 2023 9:44 AM  
**To:** Steven Barraclough <Steven.Barraclough@dfat.gov.au>  
**Cc:** Lauren Henschke <Lauren.Henschke@dfat.gov.au>; s 22(1)(a)(ii) @dfat.gov.au>; Gary Cowan s 47E(d) @dfat.gov.au>; s 22(1)(a)(ii) @dfat.gov.au>; Dimity Paul <Dimity.Paul@dfat.gov.au>  
**Subject:** RE: Request for Assistance: Afghan Nationals in Pakistan without Valid Visas that are waiting for Australian Visas -

Hi Steven, thanks for the update.

s 33(a)(iii), s 47C(1) (only the Home Affairs committee transcript was attached to the first email)

s 47F(1)

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**From:** Steven Barraclough <[Steven.Barraclough@dfat.gov.au](mailto:Steven.Barraclough@dfat.gov.au)>  
**Sent:** Thursday, 26 October 2023 9:40 AM  
**To:** s 47F(1) @dfat.gov.au>  
**Cc:** Lauren Henschke <[Lauren.Henschke@dfat.gov.au](mailto:Lauren.Henschke@dfat.gov.au)>; s 22(1)(a)(ii) eriksen@dfat.gov.au>; Gary Cowan <[Gary.Cowan@dfat.gov.au](mailto:Gary.Cowan@dfat.gov.au)>; s 22(1)(a)(ii) @dfat.gov.au>; Dimity Paul <[Dimity.Paul@dfat.gov.au](mailto:Dimity.Paul@dfat.gov.au)>  
**Subject:** RE: Request for Assistance: Afghan Nationals in Pakistan without Valid Visas that are waiting for Australian Visas -

s 47F(1)

s 47C(1)

Steven

**From:** Steven Barraclough  
**Sent:** Wednesday, 25 October 2023 6:29 PM  
**To:** s 47F(1) [dfat.gov.au](mailto:dfat.gov.au)>  
**Cc:** Lauren Henschke <[Lauren.Henschke@dfat.gov.au](mailto:Lauren.Henschke@dfat.gov.au)>; s 22(1)(a)(ii) [@dfat.gov.au](mailto:@dfat.gov.au)>; Gary Cowan <[Gary.Cowan@dfat.gov.au](mailto:Gary.Cowan@dfat.gov.au)>; s 22(1)(a)(ii) [@dfat.gov.au](mailto:@dfat.gov.au)>; Dimity Paul <[Dimity.Paul@dfat.gov.au](mailto:Dimity.Paul@dfat.gov.au)>  
**Subject:** FW: Request for Assistance: Afghan Nationals in Pakistan without Valid Visas that are waiting for Australian Visas -  
**Importance:** High

s 47F(1)

For your information only, I have attached a table of the advocacy carried about by our HOM in Islamabad on this matter.

I suggest you pass on the following in italics.....

*We are also very concerned that Pakistan has set a deadline of 1 November to repatriate undocumented Afghan refugees currently residing in Pakistan. DFAT and Home Affairs therefore have urged Pakistan, in concert with likemindeds and UN agencies, to act with restraint and moderation in its treatment of Afghan refugees and asylum seekers. We also are strongly urging Pakistan to implement consistent and streamlined exit permit policies that allow all Afghans with valid immigration status to Australia to depart Pakistan.*

*LEE certification provides the individual and their immediate family prioritised access to a permanent humanitarian visa. Visas are necessary for being granted a Pakistani exit permit. DHA and DFAT are working together closely in Islamabad.*

*We are prioritising those LEE cohorts we have identified as most likely to be able to be quickly certified – so the people we are likely to be able to help are processed as quickly as possible and can then apply for humanitarian visas. If you provide details of your priority cases of those known to be in Pakistan, we will look into the status of their applications. We note that most LEE are in Afghanistan, so are also very urgent.*

*There are a number of regular commercial flights out of Pakistan and on to Australia on which seats are available.*

Best  
Steven

---

**From:** Steven Barraclough  
**Sent:** Friday, 27 October 2023 1:04 PM  
**To:** s 47F(1)  
**Cc:** s 22(1)(a)(ii); Lauren Henschke; Gary Cowan; Julie Heckscher; Craig Maclachlan; s 22(1)(a)(ii); Anna Oldmeadow; s 47F(1)  
**Subject:** s 47F(1); Neil Hawkins  
**Attachments:** Refoulement of Afghans from Pakistan - TPN.pdf

FMO colleagues,

Further to ongoing exchanges on this matter, Lauren Henschke and I will attend an IDC hosted by home affairs today at 1430. The subject is whether or not to pass on names of certified LEE and Australian visa holders to Pakistan. Failure to do so by 1 November means they risk being deported to Afghanistan under Pakistan's refoulement policy. Afghans in Pakistan without a current visa or papers have until 1 November to leave before deportation processes begin. All applications for exit permits for Afghans in Pakistan illegally or without current (Pak) visas but who have visas for third countries need to be submitted by 31 December.

DHA has said there may be issues about privacy. We have copied and pasted below legal advice in yellow highlight from PLV, for which thanks.

It is impossible to reach our cohorts in time as many are not readily contactable. But no one who has been contacted has refused to have their name forwarded to Pakistani authorities. Since the fall of Kabul, we have worked with Pakistan over a period of time to organise exit permits for Afghans.

We take note of the ongoing commitment of this govt, reenforced by the Minister in Estimates, that we don't leave people behind. No other country is asking for an extension and many have submitted names. We take the position that the risks of standing back and allowing people to be refouled to Afghanistan is far weightier than the consequences of passing on names without prior consent in a situation where communication is difficult. We should hand over the names of certified Afghan LEE and current visa holders to Pakistan, asking them not to pass the information on further.

s 47C(1), s 47E(d)

The military and the government are completely focused on it. Every newspaper carries a countdown clock for days remaining. A key driver for this as post has reported is to put pressure on the Taliban to rein in the Pakistani Taliban operating from Afghanistan and who have killed over 700 Pakistani security personnel this year.

The High Commissioner (cced) supports our approach.

We will keep you posted.

Steven

s 33(a)(iii)

s 33(a)(iii)

2. Home Affairs told me today that they estimate there are 132 (not 109) Afghan LES with visas.

3. Deadline extension:

Minister of Interior said (yesterday) 25 Oct that the deadline for illegal immigrants including Afghans to leave Pakistan would not be extended beyond 1 Nov.

Senior official to media: 'We are sticking to our decision. There will be no flexibility. All foreigners living in the country illegally will have to adhere to the Oct 31 deadline.'

4. Attached is a copy of the second request (cabled yesterday) received from MFA asking for a list of names of Afghans 'sponsored by the High Commission of Australia and currently present in Pakistan by 30 October' to avoid legal action or deportation.

Regards

Neil

Neil Hawkins

High Commissioner

Australian High Commission, Islamabad, Pakistan

T: s22(1)(a)(ii)

[Pakistan.Embassy.gov.au](http://Pakistan.Embassy.gov.au) | [Twitter](#) | [Facebook](#)



s 42(1)







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**From:** Steven Barraclough  
**Sent:** Friday, 27 October 2023 5:08 PM  
**To:** s47F(1)  
**Cc:** s 22(1)(a)(ii) Gary Cowan; Lauren Henschke; s 22(1)(a)(ii)  
**Subject:** Responses to Questions -

-

s 47F(1)

Here are the responses to the questions you posed earlier this afternoon. Getting exact figures on the size of cohorts is still a challenge.

I'll revert shortly with a readout of the meeting.

Steven

s 47C(1), s 33(a)(iii)

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**From:** Steven Barraclough  
**Sent:** Friday, 27 October 2023 6:35 PM  
**To:** ; s 22(1)(a)(ii) ; Gary Cowan; Julie Heckscher; Michelle Chan; Lauren Henschke; s 22(1)(a)(ii) Neil Hawkins; s 47F(1) ; s 22(1)(a)(ii) s 22(1)(a)(ii) Craig Maclachlan  
**Subject:** FW: FAS IDC Next Steps: Pakistan Illegal Foreigners Repatriation Plan  
-  
**Attachments:** MB23-001119 - Afghan in Pakistan s 47E(d) pdf  
**Importance:** High

-

Colleagues

Today's meeting headed in the right direction, even though the overall situation is very challenging. s 47C(1)

s 47E(d), s 47C(1), s 42(1)

**Advocacy**

s 47E(d), s 47C(1), s 33(a)(iii)

s 47E(d), s 47C(1)

s 47E(d), s 47C(1)

Steven

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**From:** s 22(1)(a)(ii) @homeaffairs.gov.au>  
**Sent:** Friday, 27 October 2023 4:51 PM  
**To:** Steven Barraclough <Steven.Barraclough@dfat.gov.au>; Julie Heckscher <Julie.Heckscher@dfat.gov.au>;  
 @dfat.gov.au>; s 22(1)(a)(ii) @pmc.gov.au; zz [External] s 22(1)(a)(ii) @pmc.gov.au  
 s 22(1)(a)(ii) @pmc.gov.au>; s 22(1)(a)(ii) @pmc.gov.au; s 22(1)(a)(ii) @pmc.gov.au; s 22(1)(a)(ii) @pmc.gov.au;  
 Mathewson, Tina MS <tina.mathewson@defence.gov.au>; s 22(1)(a)(ii) @homeaffairs.gov.au>; s 22(1)(a)(ii) @homeaffairs.gov.au>; Michael  
 ODGERS <Michael.Odgers@homeaffairs.gov.au>; s 22(1)(a)(ii) @homeaffairs.gov.au>; s 22(1)(a)(ii) @homeaffairs.gov.au>; s 22(1)(a)(ii) @homeaffairs.gov.au>; s 22(1)(a)(ii) @homeaffairs.gov.au>; s 22(1)(a)(ii) @pmc.gov.au>; s 22(1)(a)(ii) @pmc.gov.au>; s 22(1)(a)(ii) @defence.gov.au>; zz [External] s 22(1)(a)(ii) @afp.gov.au s 22(1)(a)(ii) @afp.gov.au>  
**Cc:** s 22(1)(a)(ii) dfat.gov.au>; s 22(1)(a)(ii) @dfat.gov.au>; s 22(1)(a)(ii) @homeaffairs.gov.au>; zz [External] Jill.ogden@homeaffairs.gov.au  
 <Jill.ogden@homeaffairs.gov.au>; Lavinia MITCHELL <Lavinia.Mitchell@homeaffairs.gov.au>; Andrew KILEY  
 <Andrew.Kiley@homeaffairs.gov.au>; s 47E(d) s 47E(d) @homeaffairs.gov.au>; s 22(1)(a)(ii) @homeaffairs.gov.au>; s 22(1)(a)(ii) @HOMEAFFAIRS.GOV.AU>  
**Subject:** FAS IDC Next Steps: Pakistan Illegal Foreigners Repatriation Plan -  
**Importance:** High

Hi all,

Please find below next steps and timeframes as outlined at this afternoon's IDC. Also as discussed, please find attached the most recent brief provided to the Minister for Immigration, Citizenship and Multicultural Affairs.

Additionally, Home Affairs' Legal points of contact are below (and in copy) – and are ready to engage with your respective Legal areas on this issue as required.

- s 22(1)(a)(ii) – Principal Legal Officer, Legal Opinions
  - s 22(1)(a)(ii) – Legal Officer, Legal Opinions
- s 47C(1), s 33(a)(iii)

s 47C(1), s 47E(d)

We will follow up with another meeting invitation, and further information as above, on Monday 30 October.

Please don't hesitate to contact us should you wish to discuss.

Thanks,  
s 22(1)(a)(ii)

Director – Humanitarian Policy | Humanitarian and Child Wellbeing Policy and Capability  
Refugee, Humanitarian and Settlement Division

Department of Home Affairs

T | s 22(1)(a)(ii) M | +s 22(1)(a)(ii)

E | s 22(1)(a)(ii) [@homeaffairs.gov.au](mailto:@homeaffairs.gov.au)

-

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**From:** s 22(1)(a)(ii)

**Sent:** Thursday, 26 October 2023 1:43 PM

**To:** 'Steven Barracrough' <[Steven.Barracrough@dfat.gov.au](mailto:Steven.Barracrough@dfat.gov.au)>; Immigration and Multiculturalism

s 47E(d) [@pmc.gov.au](mailto:@pmc.gov.au); Mathewson, Tina MS s 47E(d) [@defence.gov.au](mailto:@defence.gov.au); s 22(1)(a)(ii)

[@defence.gov.au](mailto:@defence.gov.au); s 47E(d) [@afp.gov.au](mailto:@afp.gov.au); zz [External]

s 22(1)(a)(ii) [@afp.gov.au](mailto:@afp.gov.au) s 22(1)(a)(ii) [@afp.gov.au](mailto:@afp.gov.au); Middle East and Northern Africa

s 47E(d) [@homeaffairs.gov.au](mailto:@homeaffairs.gov.au); s 22(1)(a)(ii) [@dfat.gov.au](mailto:@dfat.gov.au); s 22(1)(a)(ii)

[@afp.gov.au](mailto:@afp.gov.au); Lauren Henschke (DFAT) <[Lauren.Henschke@dfat.gov.au](mailto:Lauren.Henschke@dfat.gov.au)>; s 22(1)(a)(ii)

[@dfat.gov.au](mailto:@dfat.gov.au); s 22(1)(a)(ii) [@dfat.gov.au](mailto:@dfat.gov.au); s 22(1)(a)(ii)

[@pmc.gov.au](mailto:@pmc.gov.au); Michael ODGERS <[MICHAEL.ODGERS@HOMEAFFAIRS.GOV.AU](mailto:MICHAEL.ODGERS@HOMEAFFAIRS.GOV.AU)>

**Cc:** Humanitarian Policy s 47E(d) [@homeaffairs.gov.au](mailto:@homeaffairs.gov.au); s 22(1)(a)(ii)

[@HOMEAFFAIRS.GOV.AU](mailto:@HOMEAFFAIRS.GOV.AU); Lavinia MITCHELL <[LAVINIA.MITCHELL@HOMEAFFAIRS.GOV.AU](mailto:LAVINIA.MITCHELL@HOMEAFFAIRS.GOV.AU)>;

Kirrilly GOODSSELL s 47E(d) [@HOMEAFFAIRS.GOV.AU](mailto:@HOMEAFFAIRS.GOV.AU); s 22(1)(a)(ii)

[@HOMEAFFAIRS.GOV.AU](mailto:@HOMEAFFAIRS.GOV.AU); s 22(1)(a)(ii) [@dfat.gov.au](mailto:@dfat.gov.au); s 22(1)(a)(ii)

[@dfat.gov.au](mailto:@dfat.gov.au); s 47E(d)

s 47E(d) @homeaffairs.gov.au>; s 22(1)(a)(ii) @HOMEAFFAIRS.GOV.AU>; s 22(1)(a)(ii) @HOMEAFFAIRS.GOV.AU>; s 22(1)(a)(ii) @HOMEAFFAIRS.GOV.AU>;

**Subject:** SES B2 IDC & Follow Up - Afghan LEE SES1-EL2 IDC - Pakistan Illegal Foreigners Repatriation Plan

**Importance:** High

Hi Steven and all,

s 47C(1), s 33(a)(iii)

Understand this is late notice for many, but grateful if you could advise of relevant FAS contact details **by 3.30PM today** to s 47E(d) [homeaffairs.gov.au](http://homeaffairs.gov.au) so that we can send out calendar invitations.

Many thanks in advance,

s 22(1)(a)(ii)

Director – Humanitarian Policy | Humanitarian and Child Wellbeing Policy and Capability  
Refugee, Humanitarian and Settlement Division

Department of Home Affairs

T | s 22(1)(a)(ii) M | s 22(1)(a)(ii)

E | s 22(1)(a)(ii) [@homeaffairs.gov.au](mailto:@homeaffairs.gov.au)

**From:** Steven Barraclough <[Steven.Barraclough@dfat.gov.au](mailto:Steven.Barraclough@dfat.gov.au)>

**Sent:** Thursday, 26 October 2023 10:17 AM

**To:** s 22(1)(a)(ii) [@homeaffairs.gov.au](mailto:@homeaffairs.gov.au)>; s 47E(d)

s 47E(d) [@pmc.gov.au](mailto:@pmc.gov.au)>; s 47E(d)

[@defence.gov.au](mailto:@defence.gov.au)>; s 47E(d)

s 22(1)(a)(ii) [@afp.gov.au](mailto:@afp.gov.au) s 22(1)(a)(ii) [@afp.gov.au](mailto:@afp.gov.au)>; s 47E(d)

[@homeaffairs.gov.au](mailto:@homeaffairs.gov.au)>; s 22(1)(a)(ii)

[@homeaffairs.gov.au](mailto:@homeaffairs.gov.au)>; s 22(1)(a)(ii)

(DFAT) <[Lauren.Henschke@dfat.gov.au](mailto:Lauren.Henschke@dfat.gov.au)>; s 22(1)(a)(ii)

[@defence.gov.au](mailto:@defence.gov.au)>; s 22(1)(a)(ii)

[@afp.gov.au](mailto:@afp.gov.au); zz [External]

[@dfat.gov.au](mailto:@dfat.gov.au)>; s 22(1)(a)(ii)

[@afp.gov.au](mailto:@afp.gov.au)>; Lauren Henschke

[@dfat.gov.au](mailto:@dfat.gov.au)>;

s 22(1)(a)(ii) @dfat.gov.au; s 22(1)(a)(ii) ) s 22(1)(a)(ii) @dfat.gov.au; s 22(1)(a)(ii) @pmc.gov.au>

Cc: Humanitarian Policy s 47E(d) @homeaffairs.gov.au; s 22(1)(a)(ii) @homeaffairs.gov.au; Lavinia MITCHELL <Lavinia.Mitchell@homeaffairs.gov.au>; Kirrily GOODSSELL <Kirrily.L.Goodsell@homeaffairs.gov.au>; s 22(1)(a)(ii) @homeaffairs.gov.au; s 22(1)(a)(ii) @homeaffairs.gov.au; s 22(1)(a)(ii) @dfat.gov.au; s 22(1)(a)(ii) @dfat.gov.au; s 22(1)(a)(ii) @dfat.gov.au; s 22(1)(a)(ii) @dfat.gov.au>

**Subject:** RE: Follow Up: Afghan LEE SES1-EL2 IDC - Pakistan Illegal Foreigners Repatriation Plan -

-

Hello Colleagues,

Attaching the overnight cable from Islamabad.

s 47C(1), s 33(a)(iii)

Steven

Assistant Secretary ANB

s 22(1)(a)(ii)

Steven Barraclough

---

Assistant Secretary  
Afghanistan and Regional Branch  
Department of Foreign Affairs and Trade  
P s 22(1)(a)(ii) M s 22(1)(a)(ii)  
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We acknowledge the Traditional Custodians of Country throughout Australia, and their continuing connection to land, waters and community. We pay our respects to all First Nations peoples, their cultures and to their Elders, past, present and emerging.

**From:** s 22(1)(a)(ii) <[s 22\(1\)\(a\)\(ii\)@homeaffairs.gov.au](mailto:s 22(1)(a)(ii)@homeaffairs.gov.au)>  
**Sent:** Thursday, 12 October 2023 12:00 PM  
**To:** Immigration and Multiculturalism s 47E(d) <[s 47E\(d\)@pmc.gov.au](mailto:s 47E(d)@pmc.gov.au)>; Mathewson, Tina MS  
 s 47E(d) <[s 47E\(d\)@defence.gov.au](mailto:s 47E(d)@defence.gov.au)>; s 47E(d) <[s 47E\(d\)@defence.gov.au](mailto:s 47E(d)@defence.gov.au)>; s 47E(d)  
 <[s 47E\(d\)@afp.gov.au](mailto:s 47E(d)@afp.gov.au)>; zz [External] s 22(1)(a)(ii) <[s 22\(1\)\(a\)\(ii\)@afp.gov.au](mailto:s 22(1)(a)(ii)@afp.gov.au)>; s 47E(d)  
 <[s 47E\(d\)@homeaffairs.gov.au](mailto:s 47E(d)@homeaffairs.gov.au)>; s 22(1)(a)(ii) <[s 22\(1\)\(a\)\(ii\)y@dfat.gov.au](mailto:s 22(1)(a)(ii)y@dfat.gov.au)>;  
 s 47E(d) <[s 47E\(d\)@homeaffairs.gov.au](mailto:s 47E(d)@homeaffairs.gov.au)>; s 22(1)(a)(ii) <[s 22\(1\)\(a\)\(ii\)@afp.gov.au](mailto:s 22(1)(a)(ii)@afp.gov.au)>; Lauren  
 Henschke <[Lauren.Henschke@dfat.gov.au](mailto:Lauren.Henschke@dfat.gov.au)>; s 22(1)(a)(ii) <[s 22\(1\)\(a\)\(ii\)@dfat.gov.au](mailto:s 22(1)(a)(ii)@dfat.gov.au)>; s 22(1)(a)(ii) <[s 22\(1\)\(a\)\(ii\)@dfat.gov.au](mailto:s 22(1)(a)(ii)@dfat.gov.au)>;  
 Steven Barraclough <[Steven.Barraclough@dfat.gov.au](mailto:Steven.Barraclough@dfat.gov.au)>; s 22(1)(a)(ii) <[s 22\(1\)\(a\)\(ii\)@dfat.gov.au](mailto:s 22(1)(a)(ii)@dfat.gov.au)>;  
 Steven Barraclough <[Steven.Barraclough@dfat.gov.au](mailto:Steven.Barraclough@dfat.gov.au)>; s 22(1)(a)(ii) <[s 22\(1\)\(a\)\(ii\)@pmc.gov.au](mailto:s 22(1)(a)(ii)@pmc.gov.au)>  
**Cc:** s 47E(d) <[s 47E\(d\)@homeaffairs.gov.au](mailto:s 47E(d)@homeaffairs.gov.au)>; s 22(1)(a)(ii) <[s 22\(1\)\(a\)\(ii\)@homeaffairs.gov.au](mailto:s 22(1)(a)(ii)@homeaffairs.gov.au)>; Lavinia MITCHELL <[Lavinia.Mitchell@homeaffairs.gov.au](mailto:Lavinia.Mitchell@homeaffairs.gov.au)>; Kirrily GOODSSELL  
 <[Kirrily.L.Goodsell@homeaffairs.gov.au](mailto:Kirrily.L.Goodsell@homeaffairs.gov.au)>; s 22(1)(a)(ii) <[s 22\(1\)\(a\)\(ii\)@homeaffairs.gov.au](mailto:s 22(1)(a)(ii)@homeaffairs.gov.au)>; s 22(1)(a)(ii)  
 <[s 22\(1\)\(a\)\(ii\)@homeaffairs.gov.au](mailto:s 22(1)(a)(ii)@homeaffairs.gov.au)>; Nicola DI CAMPLI <[Nicola.Di-Campli@homeaffairs.gov.au](mailto:Nicola.Di-Campli@homeaffairs.gov.au)>; s 22(1)(a)(ii)  
 <[s 22\(1\)\(a\)\(ii\)@homeaffairs.gov.au](mailto:s 22(1)(a)(ii)@homeaffairs.gov.au)>  
**Subject:** Follow Up: Afghan LEE SES1-EL2 IDC - Pakistan Illegal Foreigners Repatriation Plan -

-

Dear colleagues,

Thank you for meeting with us yesterday to discuss s 47E(d)

Following on from our discussion, we have tried to capture action items as agreed below. Grateful for any input/revisions/clarification as needed.

s 47C(1), s 33(a)(iii)

We will follow up on these action items next week.

s 47C(1), s 47E(d)

Thanks in advance,  
s 22(1)(a)(ii)

umanitarian and Child Wellbeing Policy and Capability  
Refugee, Humanitarian and Settlement Division

Department of Home Affairs

T | s 22(1)(a)(ii) M | s 22(1)(a)(ii)

E | s 22(1) @homeaffairs.gov.au  
( ) (ii)

///

-----Original Appointment-----

**From:** s 22(1)(a)(ii)

**Sent:** Monday, 9 October 2023 4:42 PM

**To:** s 22(1)(a)(ii); s 47E(d); Mathewson, Tina MS; s  
s 47E(d) @afp.gov.au; s 22(1)(a)(ii) @afp.gov.au; Lavinia MITCHELL; s 22(1)(a)(ii);  
Kirrily GOODSSELL; s 22(1)(a)(ii); Middle East and Northern Africa; s 22(1)(a)(ii) (U)

(DFAT)

**Cc:** s 22(1)(a)(ii)

s 22(1)(a)(ii) @dfat.gov.au; Steven Barraclough (DFAT); s 22(1)(a)(ii)  
(DFAT)

**Subject:** Afghan LEE SES1-EL2 IDC: Pakistan Illegal Foreigners Repatriation Plan

**When:** Wednesday, 11 October 2023 3:30 PM-4:30 PM (UTC+10:00) Canberra, Melbourne, Sydney.

**Where:** Microsoft Teams Meeting

**Importance:** High

-

Dear colleagues,

As you may be aware, the Government of Pakistan has ordered individuals residing in Pakistan illegally to leave voluntarily by 1 November 2023 or face deportation back to their country of origin s 47E(d)  
s 47C(1), s 47E(d)

Grateful if you could pass this invitation to relevant stakeholders within your agency who may also wish to attend.

Thanks in advance,  
s 22(1)(a)(ii)

Director – Humanitarian Policy | Humanitarian and Child Wellbeing Policy and Capability  
Refugee, Humanitarian and Settlement Division

Department of Home Affairs

T | s 22(1)(a)(ii) M | s 22(1)(a)(ii)

E | s 22(1)(a)(ii) @homeaffairs.gov.au



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**From:** Steven Barraclough  
**Sent:** Monday, 30 October 2023 7:13 PM  
**To:**  
**Cc:** s 47F(1) s47F(1) ; Gary Cowan; Julie Heckscher; s 22(1)(a)(ii)  
Lauren Henschke; Ben Playle; s 22(1)(a)(ii)  
s 22(1)(a)(ii) ; Craig Maclachlan; Ian Gerard  
**Subject:** Pakistan Refoulement of Afghans [SEC=OFFICIAL]  
**Attachments:** Pakistan Repatriation of Illegal Afghans 30Oct23 (005).docx

-

s 47F(1)

I've attached a sitrep of where we are at today after a positive IDC.

Essentially DHA are comfortable with releasing names which our post will convey by TPN. We expect the bulk of the names to start going through tomorrow. This will be an iterative process.

There are still a number of issues to manage including on the LEE side (as summarised in the attached).

We've also drafted media points and have shared these with DHA. s 47C(1)

This overall task is still difficult, and will remain so for weeks, perhaps months. But we are fundamentally much better placed than we were on Friday.

Steven

s 47C(1), s 33(a)(iii)

s 47C(1), s 33(a)(iii)

## Pakistani Refoulement of Afghans without Pakistani Visas

### Today's Developments

- Following an IDC today (30 October) Home Affairs is noting to its minister that details of Afghan visa holders, and those whose applications are substantially through the visa application process, can legally be released through DFAT to the Pakistan Government without first seeking their consent
  - a list is being compiled and Post will coordinate and present it to Pakistan authorities by tomorrow (31 October) under cover of a TPN.
- Home Affairs is providing over 2,000 names (principals and dependents) and required personal details, covering humanitarian visas and family visas
- We will supplement this list in coming days and weeks.
- DFAT will concurrently provide to Pakistan the names of all persons that have been certified as DFAT LEE and we understand may be in Pakistan (16) or Afghanistan (75) as at 30 October 2023. We are also providing the details of certified LEE in Afghanistan in case they have managed to cross into Pakistan.
- s 33(a)(iii), s 47C(1), s 47E(d)

### Coming Up

- How to communicate to Afghans how to have biometric testing done by Pakistan authorities in Islamabad are to be considered in coming days.
- Handling Pakistan's requirement for an exit permit fee [s 47C(1), s 47E(d)]
- Managing different cohorts and other interested parties will be challenging in the coming weeks.
  - We have prepared draft media TPs and are circulating with other agencies.

### Background

On 2 October, Pakistan released an 'Illegal Foreigners Repatriation Plan' under which undocumented Afghans would be deported. Afghans in Pakistan illegally are to depart by 1 November if they have not been officially registered as having the right to go to a third country. Detentions and refoulement starts on 1 November. Those registered have until 31 December to obtain an exit permit, at a cost of USD 830 per person. Exit permits allow 30 days to leave Pakistan.

DFAT has been liaising with Home Affairs on how to meet Pakistan's demands in a way that allows Australia to get priority visa holders out within the tight deadlines. s 33(a)(iii), s 47C(1), s 47E(d)

s 33(a)(iii), s 47C(1), s 47E(d), s 33(b)

Home Affairs is looking into how it can cover the **exit permit fee**. Generally, countries do not impose a fee for humanitarian visa holders and Pakistan had not previously charged a fee. s 33(a)(iii), s 33(b)

**Onward travel to Australia** by 30 January will be challenging. The International Organization for Migration (IOM) provides services to Home Affairs to arrange exit permits and book seats on commercial flights. IOM provides similar services to other countries and will have difficulty meeting demand. s 33(a)(iii), s 33(b), s 47C(1) We will assess whether facilitated flights will be needed as the situation on the ground evolves.

s 33(a)(iii), s 33(b), s 47C(1)