

**Mandates of the Special Rapporteur on the situation of human rights in Afghanistan; the Special Rapporteur on the right to education; the Special Rapporteur on the human rights of migrants and the Working Group on discrimination against women and girls**

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(Please use this reference in your reply)

7 October 2025

Excellency,

We have the honour to address you in our capacity as Special Rapporteur on the situation of human rights in Afghanistan; Special Rapporteur on the right to education; Special Rapporteur on the human rights of migrants and Working Group on discrimination against women and girls, pursuant to Human Rights Council resolutions 54/1, 53/7, 52/20 and 59/14.

In this connection, we would like to bring to the attention of your Excellency's Government information we have received concerning **the imminent deportation of Mr. Khairullah Khaliq and of Ms. Mursal, together with their respective families, within the wider context of an ongoing mass *refoulement* of Afghan nationals from Pakistan, under the "[Illegal Foreigners Repatriation Plan](#)" (IFRP) of 2023. Such deportation would place them at risk of irreparable harm and grave human rights violations, in particular with regards to their rights to life, liberty and security of the person, physical integrity, their right to education and more generally their economic, social and cultural rights, as well as their right to be free from discrimination and persecution, including persecution on grounds of gender. Women and girls are at heightened risk and face further violations including restrictions on the freedom of movement.**

We have previously expressed concern about the Government's unjustified efforts to return Afghans involuntarily, some who have fled their country due to the deteriorating human rights, humanitarian and security situation and others who have made Pakistan their home for many years, denying them protection under the principle of *non-refoulement* and placing them at risk of irreparable harm and grave human rights violations (AL [PAK 13/2021](#), and press statements released in [October](#) and [December](#) 2023, and in [April](#) and [August](#) 2025). We welcome your Excellency's Government's recent reply to our August 2025 press statement, including providing additional information about the IFRP.

According to the information received:

*Refoulement of Afghan nationals*

Pakistan has for decades hosted a large number of Afghan nationals, including refugees. This included approximately 1.5 million refugees with documentation in addition to hundreds of thousands of Afghan nationals who fled following the Taliban takeover in 2021. Afghan nationals in Pakistan have been diverse in terms of their legal status. Some possess Proof of Registration (PoR) cards while others hold Afghan Citizen Cards (ACC). A significant number, however, remained without documentation and many families had members with different

statuses.

On 3 October 2023, Pakistan's national Apex Committee endorsed the "Illegal Foreigners Repatriation Plan," aimed at expelling over one million undocumented foreigners, the majority of whom are reportedly Afghans. This plan was structured in three phases, targeting first undocumented, unregistered, or overstaying foreigners; adding, in March 2025, Afghan nationals holding an ACC; and finally encompassing, since 31 July 2025, all Afghans including PoR card holders, who were to return to Afghanistan by 1 September 2025, unless they obtain visas.

Many documented and undocumented Afghans have been arrested and deported in recent weeks. Some of them had fled Afghanistan specifically because of persecution by the Taliban, including women who have been arbitrarily detained and subjected to ill-treatment including violence and in some cases sexual violence, journalists, ethnic and religious marginalized groups, members of the LGBTQ+ community and former officials of the Islamic Republic of Afghanistan including security and judicial officials. PoR card holders were also reported to have been arrested and deported even before the 1 September deadline.

Since the plan's initiation, more than 1.4 million Afghans – many undocumented – have returned to Afghanistan, often under pressure and fearing arrest, as well as some people who returned voluntarily.<sup>1</sup>

### *Impact*

Afghans are being sent to a context where they are put at risk of torture or other cruel, inhuman or degrading treatment or punishment, discrimination and persecution based on gender, ethnicity and political opinion, and where the overall human rights situation is deteriorating. Due to Pakistan's policy, most return with very few belongings and no savings, and if they have businesses and property, they must leave them behind. They have no land, or shelter, have often lost community ties, as some have been away for decades or generations, and potentially face poverty due to the economic challenges in Afghanistan. The ongoing humanitarian crisis is exacerbated by the influx. Reportedly, two-thirds of the Afghan population need humanitarian assistance and job opportunities are limited. They face severe challenges to reintegrate safely and with dignity.

Women and girls are disproportionately affected, being denied fundamental rights in Afghanistan, such as freedom of movement, the right to education, the right to many forms of work, the right to freedoms of expression and association, and the right to participate in public life. Education for girls and women is limited to grade six meaning that secondary and university education is unavailable, including education on health sciences. These measures have resulted in 2.2 million Afghan girls being barred from schooling beyond the primary level. For female students above the age of 12, returning to Afghanistan is tantamount to putting an end to their studies. While madrasa education may

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<sup>1</sup> <https://pakistan.iom.int/sites/g/files/tmzbdl1121/files/documents/2025-09/unhcr-iom-flash-update-61.pdf>

be available, the curriculum under Taliban rule is focused on religious education excluding other subjects.

A recent UNAMA report examining the situation of individuals who have been involuntarily returned to Afghanistan found that specific groups – women and girls, former government officials, former members of the Afghan National Defense and Security Forces, media workers and civil society activists – were at particular risk of human rights violations.<sup>2</sup>

#### *Case of Mursal and her family*

Ms. Mursal is an Afghan refugee who left Kabul with her family, including her husband, two daughters and two sons, in October 2021 due to escalating threats linked to her activism as a women’s rights defender, her husband’s employment with US forces in logistics, fears that their daughters would be deprived of education under Taliban rule and risks due to the family’s Shi’a Islam faith. They are undocumented and currently living in Islamabad and have made an application for resettlement with UNHCR.

Mursal’s daughters, aged 18 and 15, and her son aged 11, attend school. Her youngest son is aged 7 and is living with Down’s Syndrome. He cannot move independently and requires a high level of care. While there are some free health services available in Islamabad, it has been difficult to find adequate medical and health support for him due to the family’s undocumented status and their fear of deportation.

Mursal and her husband have no right to work in Pakistan, and the family depends financially on support from relatives abroad. They live in fear of deportation, in particular following Mursal’s husband’s arrest on two occasions. He was released each time only after bribes were paid. They rarely leave home.

Mursal fears for the family’s safety and security if they are returned to Afghanistan. In particular, she is concerned that her daughters would be deprived of their right to education, her younger son would receive less health and medical care and other support, she would be targeted due to her women’s rights work and her husband would be at risk due to his work with US forces. She also fears that the family would be persecuted due to their Shi’a faith.

#### *Case of Khairullah Khaliq and his family*

Mr. Khairullah Khaliq is an Afghan refugee and university student currently in process of finishing his university studies at Quaid-i-Azam University in Islamabad. He was born and raised in Pakistan and holds a Proof of Registration card. He belongs to the Turkmen ethnic minority that is known to face discrimination in Afghanistan. His father has apparently spent over 35 years in Pakistan having relocated there since the 1980s.

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<sup>2</sup> [https://unama.unmissions.org/sites/default/files/unama\\_hrs\\_-\\_human\\_rights\\_risks\\_and\\_returns\\_-\\_3\\_august\\_25\\_final.pdf](https://unama.unmissions.org/sites/default/files/unama_hrs_-_human_rights_risks_and_returns_-_3_august_25_final.pdf)

Khairullah Khaliq's two younger brothers, who were also born and raised in Pakistan, are in 9th grade in Islamabad, and their final exams were scheduled to start on 15 September.

The announcement of 31 July 2025, demanding all Afghans to depart from Pakistan by 1 September 2025, puts Khairullah Khaliq and his family at great risk of persecution should they return to Afghanistan. The above-mentioned human rights, humanitarian and security situation in Afghanistan would leave them with no financial resources, no home and in a fragile safety context. With the enactment of the third phase of the IFRP, Khairullah Khaliq and his two siblings will, in addition, see their education paths seriously jeopardized.

While we do not wish to prejudge the accuracy of these allegations, we are deeply concerned about the situation of Afghan nationals in Pakistan regarding the ongoing process to deport them *en masse* or compel their departure to Afghanistan, contrary to the *non-refoulement* principle, which prohibits the forced return of individuals to countries where they face serious threats to life, freedom, or personal integrity in the form of torture or cruel, inhuman or degrading treatment or punishment. We are deeply concerned they may be subjected to persecution, including on gender and political grounds, and to other serious human rights violations and abuses, including torture and inhuman or degrading treatment, arbitrary arrest, enforced disappearance as well as denial of their right to education and other economic, social and cultural rights upon their return to Afghanistan. Furthermore, persons with disabilities in Afghanistan face entrenched social stigma and lack of support due to Taliban restrictions and recent international funding cuts.

We are concerned about the specific cases of Mursal and her family members, in particular her daughters' right to education and the rights of her son with disabilities, especially his right to health, if they were to return to Afghanistan. Further, members of the family might face persecution on the grounds of religion and gender, as well as due to Mursal's women's human rights work and her husband's former work with the US forces. We are also concerned about the specific cases of Khairullah Khaliq and his two brothers, who fear their right to education would be jeopardized and that they would face persecution due to their ethnic minority status if they were returned to Afghanistan.

We wish to refer to article 14 of the Universal Declaration of Human Rights, which provides that "everyone has the right to seek and to enjoy in other countries asylum from persecution". States should uphold the absolute and non-derogable principle of *non-refoulement*, codified in article 3 of the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment to which Pakistan has been a party since 23 June 2010. This article provides that no State shall expel, return ("refouler") or extradite a person to another State where there are substantial grounds to believe that the person would be in danger of being subjected to torture, ill-treatment or other irreparable harm.

Furthermore, involuntary returns cannot be lawfully carried out without due process of law. Under international law, the decision to expel, remove or deport a non-national may only be taken after an examination of each individual's circumstances, in accordance with the law, and when procedural guarantees have been respected. In this connection, individuals facing deportation/repatriation should have access to a fair,

individualized examination of their particular circumstances, access to legal representation, and to an independent review mechanism with the authority to appeal negative decisions. In this context, an analysis of the general human rights situation in that State must be taken into consideration. In the absence of such procedures, the forced returns carried out by the authorities of Pakistan may amount to arbitrary or collective expulsion, which are prohibited under international law. We note that UNHCR has a non-return advisory for Afghanistan.<sup>3</sup>

We would also like to recall that, according to international human rights standards, detention for immigration-related purposes should be a measure of last resort, only permissible for adults for the shortest period of time, when no less restrictive measures are available.

As documented by the 2023 joint report by the Special Rapporteur on human rights in Afghanistan and the Working Group on discrimination against women and girls (A/HRC/53/21), undocumented Afghan returnees and migrant women and girls face significant barriers to sustaining themselves on return, as a lack of documents compounds the impact of the economic crisis. In this context, as well as considering the ongoing gender persecution in Afghanistan, the Special Rapporteur and the Working Group recommended States to grant support and protection to all Afghan women and girls who are outside Afghanistan, and take measures to ensure their long-term security, including by granting them refugee, protective or regular status, facilitating their safe resettlement and expanding the provision of educational scholarships and mental health services.

The full texts of the human rights instruments and standards recalled above are available on [www.ohchr.org](http://www.ohchr.org) or can be provided upon request.

As it is our responsibility, under the mandates provided to us by the Human Rights Council, to seek to clarify all cases brought to our attention, and having taken note of your Government's response to our press statement of August 2025, we would be grateful for your observations on the following matters:

1. Please provide any additional information and any comment you may have on the above-mentioned allegations.
2. Please indicate measures adopted by your Excellency's Government to protect the human rights of Afghan nationals, regardless of their migration status, and how these measures are in accordance with international human rights law and other relevant international standards. In particular, please indicate measures taken or to be taken by your Excellency's Government to ensure the full respect of the principle of *non-refoulement*.
3. Please also provide detailed information on the existing legal procedures in Pakistan, ensuring the possibility for foreign nationals, including Afghan nationals, to challenge the decision to deport them and the safeguards applied in that regard.

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<sup>3</sup> <https://www.refworld.org/policy/countrypos/unhcr/2023/en/124216>

4. Please provide detailed information on the Afghan refugees and asylum seekers who were deported to Afghanistan since October 2023. Please indicate how their individual circumstances and protection needs were considered prior to their deportation or involuntary return. Please provide information on whether the potential risks faced upon return to Afghanistan, including gender persecution, have been assessed individually for each of the concerned Afghan nationals.
5. Please provide detailed information on the considerations given to the impact of deportation procedures on Afghan nationals' right to education, especially for women and to girls, and the outcome of such considerations.
6. The Government has indicated that there would be exceptions for certain categories of Afghans required to leave Pakistan including students in higher education. Please elaborate on what such measures might entail.

This communication and any response received from your Excellency's Government will be made public via the communications reporting [website](#) within 60 days. They will also subsequently be made available in the usual report to be presented to the Human Rights Council.

While awaiting a reply, we **call upon the Government, as a matter of urgency, to halt deportations of Afghan nationals**, including those undocumented, and to ensure respect for the principle of *non-refoulement*, until the circumstances and human rights situation in Afghanistan allow for voluntary, safe, sustainable and dignified returns. We also request authorities to urgently review and assess the cases of the individuals mentioned above, and more generally of all Afghan refugees with regards to their right to education.

Please accept, Excellency, the assurances of our highest consideration.

Richard Bennett  
Special Rapporteur on the situation of human rights in Afghanistan

Farida Shaheed  
Special Rapporteur on the right to education

Gehad Madi  
Special Rapporteur on the human rights of migrants

Claudia Flores  
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