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Abstract: *This research paper focuses on how the policies and laws of Pakistan guide individuals who want asylum in the country and how this is contrasted with the regulated asylum system in Turkey. Crossing Afghanistan and other nationalities, Pakistan, which accommodates a great number of refugees, has to have an official asylum legal framework; otherwise, the country resorts to administrative approaches, which leads to ambiguity in the juridical framework and the inability to have access to freedom and rights (education, health, and employment). In the meantime, Turkey has adopted the Law on Foreigners and International Protection (LFIP), which offers a more systematic approach to determining refugee status, interim protection of the Syrians, and access to the welfare system and the labour market. The studies examine the asylum system, legal, political and social problems in Pakistan, the threats to the women refugees and the burden on the host community. Moreover, this study outlines concepts that Pakistan can borrow from the administrative and legislative practices adopted in the country, such as the enactment of laws, development of institutions, encouragement of gender-based policies, and expansion of regional integration. It contributes to our understanding of the management of asylum by outlining the weaknesses in the international law and domestic practice, as well as providing useful proposals on how to reform the Pakistan refugee system.*

Introduction

The Refugee Convention, along with its 1967 Protocol is the foundation of the international law of asylum, which provides the rights of asylum seekers and their responsibility towards the host states (United Nations, 1951/1967). Although this is indeed important, it is observed that there is a considerable variation in the application of these asylum policies and structures among the countries (Goodwin-Gill & McAdam, 2007). In Pakistan, where millions of refugees are situated, asylum is not given a formal approach, and there is no special law on asylum in the nation (Khan & Khan, 2020). Rather, the nation is dependent on the fact that the administrative policies are not sufficient to mitigate the increasing challenges posed to asylum seekers, migrants, and refugees (Yousaf, 2018). This research

paper analytically examines the issues that have been linked to asylum in Pakistan and compares its asylum legal system to the systems in other countries, including Turkey, which have implemented more organised asylum processes (İçduygu & Millet, 2016). Besides, the research paper also reports critical gaps in the asylum practices in Pakistan, specifically in legal tools, policy, and case studies that highlight the protection challenges the refugee's experience, especially the vulnerabilities that women experience as a result of a deficiency in formal laws (UNHCR, 2022). Moreover, the study explores the general effects of asylum practice on international law, human rights, and migration, offering a detailed analysis of the legal, social, and economic aspects of asylum (Türk, Nicholson, & Edwards, 2013). The paper also presents effective suggestions on reform, emphasising the necessity of professionals to facilitate the asylum law, advocacy, and support in making the necessary changes (Shah, 2019).

Turkey has emerged as a leading country in refugee protection, notably serving as both a major transit and destination point for asylum seekers, particularly from Syria, Afghanistan, and Iraq (İçduygu & Millet, 2016; UNHCR, 2022). The Foreigners and International Protection Law of 2013 represents Turkey's formal initiative to codify the asylum process and provide legal protection for asylum seekers and refugees (Republic of Turkey, 2013). These policies not only ensure legal protection for refugees but also facilitate their integration into Turkish society (Kirisci, 2014). This paper will explore the valuable lessons from Turkey's asylum policy, its legislation, and the concerns of asylum seekers, which can be leveraged to foster effective changes in Pakistan's legal framework regarding asylum policies and laws (Çorabatır, 2016).

Literature Review

The question of regulating international law concerning asylum has been debated and re-debated, and numerous studies analysing the theoretical aspects and real complications of the matter in host countries have been published. Of these, the most topical and recent works are thoroughly examined, with some of the most significant contributions to the field being identified and the way it has added to the existing body of knowledge outlined.

As per the study conducted by İçduygu, A., & Yüksek, D. (2021) on the reaction of Türkiye to the Syrian refugee crisis, İçduygu and Yüksek discuss the Law on Foreigners and International Protection (LFIP). Their paper focuses on the legal aspect of Türkiye regarding asylum and temporary protection status of the Syrians and the role of the EU in backing up the policies of Türkiye. It is a key work in interpreting the changing asylum system in Türkiye, which can be used to compare the less organised asylum policy in Pakistan (İçduygu & Yüksek, 2021).

Secondly, one of the UNHCR reports provides a detailed discussion on the existing system of refugee law in Pakistan and looks at the problems that the country is going through in ensuring the protection of asylum seekers (UNHCR, 2010). It also reveals weaknesses within the asylum policies in Pakistan, including the lack of a codified asylum law and restrictions on the rights and access to the law by refugees (Yousaf, 2018). The report gives the grounds under which the international law on refugees is assessed in Pakistan. Further, UNHCR produces an annual report that gives statistics on forced displacement globally, including the figures of asylum seekers and refugees worldwide (UNHCR, 2022). This report is needed to put the global picture of asylum and migration in its right perspective, which is important when comparing the asylum system of Pakistan with the international standards. This report provides priceless background information on the role of Pakistan in accommodating refugees and the legal difficulties facing the country when dealing with asylum seekers (Khan & Khan, 2020).

In addition, Hathaway critically analyses the rights of the refugees under international law and the conflict between the sovereignty of the states and the protection of human rights (Hathaway, 2005). His

work has value in comprehending the processes of non-refoulement and asylum, as well as the way the asylum policies of Pakistan are in accordance with international norms. The focus of Hathaway on her state obligations and the protection of the refugees is one of the perspectives from which the gaps in the system of Pakistan and the adherence to the world standards can be assessed (Hathaway, 2005).

Furthermore, Feller, E., Türk, V., & Nicholson, F, in their book “Refugee Protection in International Law. Cambridge University Press” have provided an in-depth discourse on the issue of refugee protection in international law, and it also discusses the problems of the implementation of the policy of refugees by countries. It presents an in-depth comparison of asylum law practice across jurisdictions, which is particularly handy when comparing the asylum framework in Pakistan with that of other nations, most notably, Türkiye. Their work gives a general picture of the practice of refugee law and shows the discrepancies in the way countries control asylum seekers and refugees (Feller, Türk, & Nicholson, 2003).

Shah, in his article “Refugees and the Law in Pakistan, “has highlighted the legal stance of Pakistan towards refugees, in this case, Afghan refugees. The information reported in the article shows the informal, administrative policies of the country, as well as the main gaps in the asylum system of Pakistan, which include the absence of a formal asylum law and a legal status for refugees. This piece is a critical pillar of this thesis, which continues to examine these legal loopholes and how they affect asylum seekers (Shah, 2019).

Siddiqa gives a historical analysis of Pakistan regarding hosting refugees, especially the Afghans. In this article, she has discussed the difficulties of how Pakistan handles asylum seekers and explains how the nation adapts its policies on refugees and depends on administrative solutions. This article aids in putting the centre of this thesis into context, the historical and present policies of Pakistan regarding asylum, which provides a starting point to the comparison of its framework with more formalised policies, such as those employed by Türkiye (Siddiqa, 2017).

Although there are vast resources on international asylum law and country-specific practice, a comparative study between Pakistan and a country with a structurally developed asylum system, such as Turkey, is lacking. The bulk of the research is either theoretical or an examination of a case study of an individual refugee, without providing a comparative analysis of the legal framework, implementation processes, and policy outcomes. In addition, little has been researched in academic literature on the informal and administrative nature of asylum in Pakistan, especially on how this is contrary to international norms. This research fills this gap by offering a critical comparison of the system in Pakistan and the legally codified system in Turkey and laying out concrete reforms based on international law and policy experience.

Research Objectives

1. To investigate the concept, establishment, and key principles of asylum in international law, focusing on important treaties, norms, and the roles of global institutions.
2. To evaluate Pakistan’s current legal and administrative responses to asylum seekers, identifying challenges due to the lack of a formal asylum law.
3. To carry out a comparative study of the asylum systems in Pakistan and Türkiye, emphasizing their legal structures, refugee protection strategies, and integration methods.

Research Methodology

The research methodology of this study is qualitative in character. In contrast, the primary research methodology adopted is doctrinal, with a specific focus on discussing the theoretical structure of existing laws, including international treaties and conventions, compliance with rules, national and

international frameworks, and the objectives it aspires to achieve. Historical, descriptive, comparative, and analytical methods of research are considered for reaching the objectives of the issue. Both approaches are well-suited for this research work, as they have helped describe the existing laws and regulations and facilitated the analysis of current legislation and legal sources.

Meaning and Definition of Asylum

Asylum or asylon, being the Greek term for asylon or sanctuary, is the safeguarding that a state provides to an individual who is escaping persecution or grave harm in his or her homeland or natural residence (Oxford English Dictionary, 2023). According to international law, asylum is described as the right to seek protection in another state when the state in which one lives refuses or cannot offer protection (Goodwin-Gill & McAdam, 2007). It is closely intertwined with the notions of human dignity, the right to avoid being harmed, and international humanitarian obligations (Hathaway, 2005).

Historical Development and Concept of Asylum

The concept of asylum, which has strong religious and moral traditions, is full of a spiritual connection. The right to asylum was recognized and codified in several societies such as the Greeks, the Romans and the Egyptians (Frieze, 2019). In ancient Greece, churches were used to house the oppressed or those who were escaping punishment, and this was not only a question of faith, but also a link to the power of the gods (DuBois, 1991). In the same manner, the Roman age codified the concept of sanctuaries in its laws, safeguarded shrines and sanctuaries and fortified the spiritual linkage between asylum, divinity and moral responsibility (Nafziger, 1983).

International law categorically distinguishes refugees, asylum seekers, and migrants and has certain definite guidelines for each one of them. Under the landmark 1951 Refugee Convention, refugees are individuals who have been persecuted based on race, religion, nationality, membership of a specific social group, or political opinion (United Nations, 1951/1967). These are people who have been forced to leave their homes and seek safety elsewhere. Refugees, but not asylum seekers, are individuals whose case for consideration as a refugee is under consideration (Goodwin-Gill & McAdam, 2007). Migrants are separated, typically emigrating spontaneously due to economic need or reunification of families (IOM, 2019).

Key Concepts and Terminologies in Asylum Law

There are a few keywords that are important to understand the law of international asylum. A refugee in the eyes of the 1951 Refugee Convention is a person who has a well-founded fear of persecution based on a race, religion, nationality, membership of a particular social group, or political opinion, and is therefore not a citizen of the country of his or her nationality (United Nations, 1951/1967). Asylum seeker- This is a person who has formally applied to be a refugee, whose claim is yet to be determined (UNHCR, 2020). Non-refoulement principle- The fundamental principle in asylum law prohibits the deportation of individuals to countries where they will be subjected to persecution, torture, or grave injuries (Hathaway, 2005). Migrants, on the other hand, are more inclined to move voluntarily, either economically or individually, and are quite different in their motivations and protections afforded by international law as compared to refugees (IOM, 2019). Another significant category is that of Internally Displaced Persons (IDPs), who are displaced but remain within the boundaries of their nation, thus falling out of the very narrow definition of refugees under international law (UNHCR, 1998).

Core Principles of International Asylum Law

The principles that uphold international asylum law are not rules for everyone, but they are standards of protection which are universal to those in need. These principles have a core principle, which is the highly important principle of non-refoulement, as per which states should not deport refugees or

asylum seekers to a place that persecutes or endangers them (United Nations, 1951/1967; Hathaway, 2005). The principle of non-discrimination is also crucial, and it suggests that one should be guarded and supported irrespective of one's race, religion, origin, social status, and political beliefs (UNHCR, 2017). Family unity is based on the requirement that family relationships should continue to exist and uphold policies that facilitate the reunification of displaced family members (Goodwin-Gill & McAdam, 2007). Moreover, international law gives priority to long-term solutions to refugees—e.g., voluntary repatriation, local integration or resettlement in a third country (UNHCR, 2003). Finally, there is the burden and responsibility-sharing principle, which stimulates the global community to work together, calling on countries to distribute the responsibilities of hosting refugees equally to avoid overloading a given state (Türk & Garlick, 2016).

Asylum and its Legal foundations under International Law

The 1951 Refugee Convention and its 1967 Protocol constitute the foundation of modern international refugee law. Initially intended to regulate the post-WW-II refugee catastrophe, the 1951 Convention explicitly established the concept of a refugee and enumerated the rights and duties of contracting governments (United Nations, 1951/1967). The 1967 Protocol shattered geographic and temporal restrictions imposed in such regulations for such periods of desperation, to fit global conditions of refugees and guarantee higher applications (Goodwin-Gill & McAdam, 2007). Part and parcel of Convention columns is the Article 33 doctrine of non-refoulement, in the sense that it excludes states from being obstinate in sending back a refugee into areas where his/her life would be jeopardised (Hathaway, 2005). Notable judgements, such as *Hirsi Jamaa and Others v Italy* and *Soering v United Kingdom*, have established the principle's importance by emphasising territorial implementation above applicability and non-derogable features (European Court of Human Rights, 1989, 2012).

Furthermore, various international human rights treaties support this trailblazing security. Specifically, the covenant on ICCPR and CAT mandate obligations of protection against torture and persecution, and the right of asylum is listed as one of the universal human rights obligations. International customary law also grants asylum protection to a considerable degree, adopting non-refoulement as a *jus cogens* norm—an international standard that applies to all governments regardless of whether the applicable treaty is ratified (Hathaway, 2005; Lauterpacht & Bethlehem, 2003).

Administrative Structure and Global Standards

Rather than authoritative refugee legislation, the policy of the Pakistani government is strongly founded on policy management and international standards about asylum seekers. The UNHCR has also taken a lead role in giving substantial support to Pakistan in addressing the issue of asylum seekers, though the agency is limited by the domestic laws of the country that do not support the protection of refugees (UNHCR, 2010). It grants some legal protection to refugees at the request of the UNHCR, including the concept of non-refoulement, which forbids sending refugees back to their home countries, where they would be persecuted. These safeguards are not clearly stipulated in the domestic legislation and are vulnerable to partisanship and evolving government policies (Yousaf, 2018).

The 1951 Refugee Convention, as well as other international human rights accords, controls Pakistan's administrative approach. However, because Pakistan is not a member of the Refugee Convention, the protection it provides to refugees is not legally binding on the country's legal system (Khan & Khan, 2020). UNHCR actions remain crucial in guaranteeing refugees' fundamental rights in areas where there is no clear asylum legislation (UNHCR, 2010). The agency's position in Pakistan is critical, according to the UNHCR, because it provides legal, human, and material assistance to refugees (UNHCR, 2022).

Besides international agreements, Pakistani asylum policy originates from regional and bilateral

agreements, like with Afghan and Iranian neighbours (UNHCR, 2015). Although these pacts help control the influx of asylum seekers and refugees, they are not robust in providing the legal protection required to grant the rights of all refugees (Yousaf, 2018). For instance, bilateral agreements between Pakistan and Afghanistan have primarily been directed towards the repatriation of refugees to Afghanistan rather than offering them permanent security and integration within Pakistani borders (Human Rights Watch, 2017).

Such a comparison to Türkiye, where a formal asylum law is present in the Law on Foreigners and International Protection (LFIP), presents the striking differences in the quality of protection and asylum process speed (Republic of Turkey, 2013; İçduygu & Yüksek, 2021). The legislative framework, as far as asylum seekers are concerned, is greater in terms of Türkiye and their entitlement to some form of security, such as social security, employment and health facilities, which refugees do not enjoy in the administrative system of Pakistan (Kirisci, 2014). The phenomenon that occurred in Türkiye about the creation of an all-encompassing asylum is a phenomenon that is rather feasible to apply in Pakistan as well, which can take equivalent measures to secure the rights of the refugees within the official legislation (Çorabatır, 2016). When reforming its asylum system, Pakistan can refer to the lessons of the Turkish model in the administration of refugees, their protection and integration. Though decades of accommodating refugees have been experienced, the lack of a proper asylum law has placed at risk the possibility of asylum seekers in Pakistan being left out of protection schemes at every given moment. Asylum seekers do not receive legal assurance and are left to be at risk and are in a vulnerable situation, whereby they stand slim chances of attaining the first-level right and services (Khan & Khan, 2020; Yousaf, 2018).

Asylum Law in Pakistan

As a nation of millions of refugees, Pakistan does not know the normal asylum statute. Its failure is a gigantic gap in the legal safeguarding of those seeking asylum and refugees in Pakistan (Khan & Khan, 2020). In its absence, it is equivalent to the dependence on administrative action as opposed to codified practice. Pakistani bureaucratic way of treating individuals seeking asylum exposes them to irrational actions and poor security since the status of these people is not established within the state's control of law (Yousaf, 2018). Also, the policies and regulations governing refugees have traditionally been dictated by foreign affairs and international politics rather than any well-established law (Siddiq, 2017). Secondly, Pakistan has been relatively less organised in its treatment of refugees with a more ad hoc-based approach due to its geopolitical requirements and relationship to the two countries on which it borders, as opposed to an asylum law (Human Rights Watch, 2017).

In the same way, where there is no formal and recognised system of refuge, a short-term administrative solution like the refugee camp is usually accorded to refugees. Although such measures bring short-term relief, there is no long-term rights and protection (UNHCR, 2015). This is a graphic example of the case of the Afghan refugees, who have been residing in Pakistan for decades without a clear, legally established institution to ensure the rights of the migrants. The other country, other than the Democratic People's Republic of Korea, which has not joined the 1951 Refugee Convention or its 1967 Protocol, which is the cornerstone of international refugee law, is Pakistan, the largest country in the world, which has become a host country of refugees (United Nations, 1951/1967; Human Rights Watch, 2017). This has been on-going neglect and has been the reason why Pakistan was never able to place its asylum policy on par with international standards. Even though Pakistan does sign several international human rights treaties, including the International Covenant on Civil and Political Rights (ICCPR), these tend to be anomalous and lacking in the context of fulfilling the immediate needs of refugees. Second,

the lack of a well-established asylum law in Pakistan complicates ensuring consistency in the protection of refugees (United Nations, 1966). Because there is no codified law, the country's asylum policies are subject to alteration under shifts in government and public opinion, and thus asylum seekers experience uncertainty and instability (Khan & Khan, 2020).

Türkiye Asylum Policies

Türkiye has become one of the most prominent countries in terms of protecting refugees as it has become a significant migratory and residential centre of asylum-seekers, especially Syrians, Afghans, and Iraqis (İçduygu & Millet, 2016; UNHCR, 2022). The framework of the activities that Türkiye undertakes is based on the Foreigners and International Protection Law of 2013, which officialises the asylum procedure and gives refugees and asylum seekers legal protection (Republic of Turkey, 2013). In this section, the main points about the asylum policy of Turkey, its laws, and the difficulties that asylum seekers experience in this country will be discussed (İçduygu & Yüksek, 2021; Çorabatır, 2016).

Central Legal Frameworks: The Law on Foreigners and International Protection (LFIP)

The Law on Foreigners and International Protection (LFIP) constitutes the main legislative tool that regulates the Turkish asylum and migration policies. It extends to the enormous majority of foreign nationals, such as asylum seekers, family reuniting claimants, and work visa applicants, among others, leaving them to have a feeling of protection and safety (Republic of Turkey, 2013). The ability to differentiate three types of asylum seekers, i.e., refugees, conditional refugees, and temporary protection holders, is considered to be one of the most significant features of the LFIP. The refugees are mainly discussed as individuals who have a right to international protection as stipulated in the Convention Relating to the Status of Refugees in 1951 (United Nations, 1951/1967). Conditional refugees are refugees not bound by the 1951 Refugee Convention; however, as they are subject to the same dangers, in most cases due to their nationality or belonging to a certain social group. Temporary protection holders are normally people who are fleeing war or conflict, like the Syrians. They are given a legal status and rights associated with it, such as the right to healthcare, education and certain employment rights (Kirisçi, 2014; Çorabatır, 2016).

The Turkish-controlled system, which is a distinct and admirable system, has been credited with providing temporary refuge to the huge population of Syrian refugees who fled the civil war that had erupted in 2011 (Kirisçi, 2014; İçduygu & Yüksek, 2021). This is because the LFIP has a unique characteristic of the temporary protection regime that is intentionally created to deal with the Syrian refugee crisis. This kind of regime, where people receive a special form of protection which is not equivalent to the official status of a refugee, gives the holders of temporary protection almost similar rights as refugees, including access to healthcare and education. But it does not necessarily lead to permanent residency and citizenship (Republic of Turkey, 2013; Çorabatır, 2016). The LFIP also possesses a formal procedure for determining the refugee's status, and in this process, the claims of the asylum seekers are determined in an orderly and methodical manner. The law provides redress to the decisions and puts a definite limit on the time in which the cases should be processed, though the effectiveness of such processes typically relies on the effects of high volume and administrative capacity limitations (İçduygu & Millet, 2016).

Afghan Refugees in Pakistan

Afghan refugees, a population that has become deeply intertwined with Pakistan's history, constitute the largest group of asylum seekers in the country. Their journey began with the 1979 Soviet invasion, and since then, millions have sought refuge in Pakistan (Kronenfeld, 2008). Despite this long-standing relationship, Pakistan has yet to formulate a clear and sustainable integration plan for them (Yousaf,

2018). As the Soviet occupation ended in the 1980s, Pakistan faced pressure to improve its treatment of refugees (Khan & Khan, 2020). The majority of Afghan refugees have been settled in the Khyber Pakhtunkhwa and Balochistan provinces' camps. However, a significant number have also migrated into urban areas, leading to concerns about overpopulation, resource strain, and indigenous resentment (Human Rights Watch, 2017; UNHCR, 2015).

Refugees received by Pakistan from other countries

Although the most significant population of asylum seekers in Pakistan were the Afghan refugees, Pakistan also witnessed an increase in asylum seekers from other parts of the world. This influx has certain effects, like heightened resource competition, alteration of the social make-up of the refugee populations, etc (Khan & Khan, 2020). The current trends are characterised by an increased trend of asylum seekers around countries like Syria, Iraq, Iran and Central Asia. The asylum seekers are mostly escaping their countries due to fears of war, economic meltdown, or political suppression in their nations (UNHCR, 2022). As an illustration, the Syrian refugees began arriving in Pakistan relatively later, especially since the Syrian Civil War began in 2011. The Syrian asylum seekers in Pakistan may not be in similar numbers compared to the Afghan refugees, but their conditions are similar, i.e. not being legally accepted, and their unpredictable future (Yousaf, 2018).

Similarly, Iraqi refugees, who were displaced by the following wars with the rise of ISIS, have also found asylum in Pakistan in return. These refugees predominantly arrive irregularly, as Pakistan does not have a regular asylum process (UNHCR, 2015). Except for Central Asian countries, Uzbekistan and Turkmenistan have also facilitated the flow of asylum seekers to Pakistan, though not in large numbers. Economic instability, human rights abuses, and political repression are the key push factors for asylum seekers from these countries (Yousaf, 2018). However, since there is no systematic asylum system in Pakistan, asylum seekers from these countries faces even worse conditions than Afghan refugees. They arrive in Pakistan with very limited legal status and hence are in the same unclear legal position as Afghan refugees (Khan & Khan, 2020). Without such cyclical asylum policies, opportunities for finding protection or achieving long-term status are zero (Human Rights Watch, 2017).

Gaps in Legal Protection for Asylum Seekers

Legal protection gaps for asylum seekers legal protection gaps for asylum seekers are one of the grave concerns in Pakistan's asylum policy. As there is no law on asylum, people looking for refuge enjoy uneven security under the national law of Pakistan (Khan & Khan, 2020). While global standards such as the 1951 Refugee Convention and the 1967 Protocol provide a template for protecting refugees, Pakistan's failure to ratify these conventions means that there exists a colossal loophole in its legislative framework (Yousaf, 2018). According to Goodwin-Gill (2014), the lack of national asylum legislation in Pakistan puts refugees at risk of arbitrary determinations and mistreatment. In the absence of a regulated system, people seeking asylum in Pakistan often live in insecurity regarding their formal standing. The UNHCR also plays a significant part in providing security, but it is restricted in doing so as there is no legal backing for the same in our domestic legislation (UNHCR, 2010). As per Shah (2011), Pakistani refugees tend to be in a state of legal suspension as they are not formally considered asylum seekers and are deprived of basic rights associated with the refugee status. They are vulnerable to exploitation in the labour market and do not have the required access to public services such as health care and education.

Furthermore, the lack of communication between our various sectors dealing with the mentioned issue, such as the UNCHR, the police, and the interior ministry, is resulting in gaps in the implementation of policy. This division is leading to refugees, who are already in a vulnerable position, being arbitrarily

deported or arrested, with limited access to legal remedies in Pakistani courts. The regulatory dispersion of refugee legislation is resulting in uneven treatment of refugees, as local governments prefer unplanned action to domestic or global legal frameworks (Joly, 2021). The legal security gap is visible in vulnerable populations, such as female individuals seeking asylum. Women who live in refugee camps or slums face gender-based abuse in the form of oppression, human trafficking, and interpersonal violence (UNHCR, 2016). The failure of Pakistan to integrate gender-sensitive safeguards in asylum policy is placing individuals at risk. However, there is potential for positive change. According to Amnesty International (2021), refugees lack gender-sensitive legislation. However, with the right policies and actions, these issues can be rectified and may reduce the vulnerability of women, especially in situations of conflict or in camps (Khan & Khan, 2020)

Conclusion

The system of asylum in Pakistan is seriously strained, mainly because there is no codified legislation on the subject. This dearth of legislative structure subjects people looking for asylum to insecurity and hinders their access to fundamental rights and required services. In their submissions, we should enact a comprehensive law on the said subject with clearly outlined rules to determine the status of refugees and their rights, like access to healthcare, education, and employment. This will align the asylum policy of Pakistan according to international standards, i.e., the 1951 Refugee Convention and the 1967 Protocol. Institutional capacity building is necessary to bring efficiency and coordination to asylum processes. Pakistan has to establish a central asylum office and its registration system to rationalise the asylum process and provide transparency. Turkish regional policy of cooperation has a model for Pakistan, i.e., burden-sharing hosting of refugees' experience. It can construct its asylum regime with regional neighbours and international cooperation and provide the refugees with protection as well as services. Gender-sensitive policy will be leveraged to answer women's and children's needs in general in a manner that increases protection against gender-based violence, as well as for the provision of psychosocial care and economic empowerment services. National security concerns and humanitarian obligations must be balanced. Pakistan will improve its screening mechanism in fulfilling national security interests without infringing on the victim's rights, including the right of non-refoulement. By pursuing these reforms, Pakistan can create a stronger, more humane, and regionally compliant asylum regime, more protective of refugees, as well as a higher contribution regionally towards stability.

Recommendations

By reviewing all the existing laws, national and international frameworks concerning asylum, I recommend the following:

1. An effective asylum law would not only establish a precise, formal refugee status determination (RSD) procedure but also provide access to the rights to which refugees are entitled under international law. These rights include non-refoulement, the right to work, education, and access to medical treatment. By doing so, the legislation would bring legal certainty and more explicitly define the rights of the refugees, removing the uncertainty and dependence on the administrative process that leads to differential treatment. This would pave the way for a more just and humane refugee management system in Pakistan.
2. Lack of a systematised refugee status determination (RSD) process in Pakistan puts the asylum seekers in a kind of uncertainty as to whether they are lawful or not. This causes long delays in decision-making, and it usually ends in discrimination. Although UNHCR will provide refugees with registration and protection, it is non-systematic and is at the discretion of the administration. That is why Pakistan must ratify the legal tools regarding this problem.

3. One more important measure towards resolving the overloaded asylum management can be the development of a system of registering the refugees, since they will be able to obtain registration and can easily check their status. It is supposed to be electronic and inter-departmentally aligned so that transparency is ensured at all levels.
4. Additionally, Pakistan ought to contemplate the successful approaches that have been used by Turkey, especially concerning employment opportunities, professional education, and liaison with multinational corporations. In so doing, Pakistan is likely to ease the financial cost and other burdens of dealing with the asylum seekers.
5. Lastly, a professional asylum unit within the Interior Ministry should be instituted with the budget, talent, and mandate to handle asylum applications, track refugee status and meet the international law requirements. This unit would collaborate with the UNHCR and other international bodies, whereby the policies of Pakistan are not only coordinated, but also in tandem with the international best practices. In this way, Pakistan will increase its reputation in the world community, receive more foreign aid and improve the relationships among the countries, all of which are essential to the development and stability of the country.

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