

Sit-in against border restrictions at Chaman, Balochistan

An HRCP fact-finding report



Human Rights Commission of Pakistan



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Introduction

Chaman, a town situated approximately 120 kilometres from Quetta in Balochistan, serves as a vital border crossing between Pakistan and Afghanistan. Nestled in the heart of the region's complex geopolitical landscape, Chaman has long been a significant point of interaction between Pakistan and Afghanistan, particularly as a hub for cross-border trade between the two neighbouring countries. The informal exchange of goods and services has been a lifeline for many local residents, particularly small traders and daily-wage workers. However, the town faces several socioeconomic challenges, such as high unemployment rates, poverty and limited access to essential services.

The Chaman sit-in, which began in October 2023, marked a significant moment in the town's history as thousands of residents, activists and traders joined forces to voice concerns over proposed immigration control measures at the Pak-Afghan border following an executive order issued by the caretaker government, giving illegal refugees in the country 30 days to leave Pakistan. The proposed measures aim to tighten passport and visa requirements, which many of the protestors believe would severely impact cross-border trade and the livelihoods of small traders in the region, specifically in Chaman and Taftan. Over time, the sit-in gained momentum as it highlighted the socioeconomic challenges faced by the people of Chaman, and drew attention to the need for a balanced approach to border security and cross-border trade. The protest further highlighted the complexity of the Pak-Afghan geopolitical relationship, serving as a reminder of the need for cooperation and understanding between the two nations as they navigate the challenges of shared borders and interdependent economies.

On 13 December 2023, the Human Rights Commission of Pakistan (HRCP) led a fact-finding mission to Chaman to ascertain the impact of the border control restrictions on the local population, and to examine the protest being held in opposition to the new policies. The mission comprised Kashif Panezai (vice-chair HRCP Balochistan), Fareed Ahmed (staff member), and HRCP members Shamsul Mulk Mandokhail and Abdul Manan. The fact-finding exercise was supplemented by subsequent research.

Mission's terms of reference

The mission's terms of reference were to:

- Analyse the key demands and concerns of the protesters.
- Investigate the legal basis for the passport and visa requirements at the Pak-Afghan border, including the Durand Line agreement and the Vienna Convention on Treaties.
- Examine the socioeconomic conditions of the people in Chaman and the potential impact of the proposed immigration controls on their lives.
- Study the role of cross-border trade in the local economy, the number of small traders affected, and the extent to which they rely on this trade for their livelihoods.
- Assess the leadership structure of the sit-in, its decision-making processes, and the role of political parties.
- Suggest potential solutions to address the concerns of the protesters.

Fact-finding exercise

Meeting with the sit-in organisers

The mission first met with the organisers of the sit-in to ascertain the key demands of the protestors. Abdul Manan Akhwond, a member of the sit-in's organising committee, told the mission that their demands included the abolition of the passport and visa requirement for local residents; the restoration of small traders' welfare packages; and an end to the crackdown against Afghan refugees. He added that all the small traders were more willing to pay their taxes to the government than paying bribes to the local administration and Frontier Corps (FC) at the check-posts that would be set up between Chaman and Quetta under the proposed measures, an issue that traders were already facing at the check-posts between Taftan (at the Pak-Iran border) and Quetta. He also recounted the committee's meeting with an FC commander on 26 October at the Chaman FC Fort. The commander had told the organising committee that undocumented Afghan refugees residing in Balochistan would be deported, but he would recommend a specific mechanism for the people of Chaman. He had also emphasised to the committee that, while the right to freedom of peaceful assembly was a fundamental right of citizens, they would not allow anyone to take the law into their own hands.

Ameer Muhammad, who is leading the ongoing sit-in at Bab-e-Dosti, Chaman, said that his family's land has been divided by the border fence put in place by Pakistani authorities, leaving more than a hundred acres in Afghan territory. He had been assured at the time of fencing that he would have no problem accessing the lands that fall on the other side of the border, but to no avail as now 'the passport condition is being enforced'.



Protestors at the sit-in in Chaman

Olus Yar Achakzai, spokesperson for the organising committee, questioned the mandate of the caretaker government to decide on matters pertaining to border control and immigration. He stressed that border restrictions would severely impact the economic well-being of small traders and nomadic communities who sell small quantities of perishable items, worth approximately PKR 500–600; frequent visa requirements would only add unnecessary economic costs for these groups as these individuals cross the border on a daily basis. However, he expressed concerns about the current sit-in being hijacked by demagogues who incite people by using sensitive slogans or to settle political scores.

Finally, the mission visited the site of the sit-in where HRCP's regional vice-chair Kashif Panezai and HRCP member Shamsul Mulk Mandokhail addressed the gathering to express solidarity with the protestors.

Meeting with the caretaker Minister for Information

The mission then met with the provincial caretaker minister for information, Jan Achakzai, in Quetta. Achakzai said that the government aims to prevent border closures for local tribes while addressing smuggling and unauthorised trade. He further claimed that the annual illegal trade of goods through the Chaman border, of approximately USD 70 billion, negatively impacts Pakistan's economy, and pointed to tax evasion as a significant issue, with vehicles from Nushki and Chaman avoiding taxes of up to PKR 2,500,000. He said that Pakistan has faced insecurity in return for hosting Afghan refugees for decades, adding that the provincial government was committed to resolving issues related to governance, passports and medicine shortages in public hospitals.



Mission members speak to the caretaker information minister

Achakzai acknowledged peaceful assembly as a democratic right, and said that efforts were being made to address the protestors' legitimate demands, such as markets that would be established at borders to promote trade with neighbouring countries, and a 'One-Document Regime' to facilitate local residents while combating cross-border smuggling. He also claimed that the Balochistan government was providing an unemployment allowance of PKR 20,000 to small traders in Chaman, and planned to set up technical centres for local youth. 'Visa on arrival facilities will be established at the border,' he added.

The minister claimed that local tribes could still move across the border without restrictions, but the mission feels this may not be entirely accurate as border control policies may vary over time and not be uniformly applied. The minister's assertion that smuggling has a significant negative impact on Pakistan's economy thus requires further evidence. Moreover, the claim of annual illegal trade of approximately USD 70 billion through the Chaman border must be substantiated by concrete data and sources.

While the government's plan to establish markets at the borders to promote trade with neighbouring countries is a welcome development, the feasibility and potential impact of such initiatives should be analysed. The implementation of the 'One-Document Regime' for immigration control at the borders may have both positive and negative consequences. It is thus crucial to assess the potential implications of this policy on Pakistan's security, economy, and relations with neighbouring countries.

Conclusion and recommendations

The current border restrictions and implementation of passport and visa requirements have sparked significant protests and raised concerns among the local population, especially small traders and families with cross-border ties. The economic situation in Balochistan, particularly in the district of Chaman, is challenging, with high levels of unemployment and poverty. Small-scale trade plays a crucial role in the



livelihood of many families. The legal and humanitarian aspects of the situation are especially intertwined, with implications vis-à-vis international treaty obligations and the impact on individuals and communities. The government should therefore facilitate visas on arrival at the border for easier travel and greater freedom of movement, and establish markets at the border to enhance commercial activities, promote trade with neighbouring countries, and address issues such as governance, passports, and medicine shortages at public hospitals to improve socioeconomic conditions in the region.

The mission would like to make the following recommendations to address the immediate challenges and promote sustainable, inclusive and peaceful resolutions to the complex issues at hand:

1. *Dialogue and diplomacy:* It is crucial for the new federal and provincial governments to immediately engage in constructive dialogue with the affected communities, local leaders, and relevant stakeholders, including representatives from Afghanistan, to address concerns and find satisfactory solutions.
2. *Economic development:* Efforts should be made to enhance economic opportunities in Balochistan, particularly in the Chaman district, through investment in local industries, job creation, and support for small traders. This could mitigate the impact of border restrictions on livelihoods.
3. *Humanitarian considerations:* When formulating policy, the government should prioritise the wellbeing of individuals and families, especially those with cross-border ties, ensuring that their basic needs and rights are respected and upheld.
4. *Security and governance:* Balancing national security interests with the legitimate needs of the local population is essential. Steps should be taken to address concerns related to smuggling and security while minimising adverse effects on the daily lives of the people in the region.
5. *Long-term solutions:* Addressing the root causes of economic hardship and border tensions will require sustained efforts, including measures to promote sustainable development, cross-border cooperation, and good governance.