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## **German EU Presidency: the case of Baloch refugees**

HRWF calls upon EU member states not to deport non-violent Baloch human rights defenders and political activists back to Pakistan but to grant them political asylum. HRWF is monitoring the cases of Baloch refugees in Germany (42 cases: 10 positive decisions and 32 negative decisions) and other EU member states. EU TODAY has just published an op-ed on this issue.

*The fate of asylum seekers from conflict-torn zones under the upcoming German EU Presidency*

By Eli Hadzhieva

EU Today (08.06.2020) – <https://bit.ly/3dHmj8o> – Last month,

the exiled Baloch journalist Sajid Hussain was found dead in a river outside Uppsala, Sweden. The mysterious death of the journalist, on European soil, raised concern about the safety of some 600 Baloch activists seeking safe haven in the EU, *writes Eli Hadzhieva.*

Pakistan is among the top 5 countries of origin when it comes to asylum applications in the EU but over 90 percent of these applications are being rejected in the bloc. Although the security situation in Pakistan may not be as dire as other source countries, such as Syria, Iraq and Afghanistan, factors, including political violence, insurgent violence, ethnic conflicts and sectarian violence, as well as instabilities stemming from neighbouring countries, contribute to migratory flows. These flows do not happen for purely economic reasons contrary to arguments of many EU Member States, which use this justification to exclude asylum-seekers from Pakistan's Baluchistan province, for example.

Crackdowns on peaceful protestors are commonplace in countries with weak rule of law, where fundamental human rights, such as freedom of expression and freedom of peaceful assembly, which are enshrined in the constitution and in international law, are not being upheld. What is even worse is the lack of access to fair trial and the possibility of infinite detention of suspected criminals in such regimes. In the Islamic Republic of Pakistan, state actors are even said to be implicated in enforced disappearances and extrajudicial killings with absolute impunity. And capital punishment remains a legal option. Hence, thousands are fleeing these regimes to seek protection in other states.

Pakistan's southwestern province is home to the Baloch

minority, which has a different ethnicity, language and religious practice than Pakistan's Punjabi majority and Pashtuns. Bordering Iran and Afghanistan, the least developed region of Pakistan despite its rich minerals, has recently come to the fore with the China-Pakistan Economic Corridor passing through its Gwadar port. However, as with the resource distribution at the federal level, the local population is doubtful about the benefits of these investments in view of ensuring future economic and political stability.

The prosecution of human rights activists in Pakistan is well documented by human rights watchdogs, such as the Amnesty International, which points out to abductions, disappearances, torture and executions in Baluchistan, where mass graves were discovered.

According to the Amnesty International, human rights activist Abdullah Abbas is one such case, who had to flee Pakistan out of fear for his life. Having participated in peaceful demonstrations while investigating abductions and extrajudicial killings in Baluchistan, he was beaten up, his family house was destroyed in raids, and he was eventually abducted, illegally detained and tortured. The life of the human rights activist, who is currently waiting for a refugee status in Germany, would be in danger if he is forcefully returned to his home country in addition to risks of arbitrary detention, enforced disappearance and torture.

In line with the principle of non-refoulement under the Geneva Convention, EU Member States have the obligation to provide protection for persons facing prosecution 'for reasons of race, religion, nationality, membership of a particular social group or political opinion'. EU Member States shall not be

derailed from such international and moral obligations due to populist and nationalist pressures. Yet, the record number of deportations in 2019 tells a different story about Germany's migration-related bureaucracy, which is described as 'racist, Kafkaesque and downright unpleasant' by Deutsche Welle. The new German migration legislation of 2019 is also viewed as controversial as it facilitates the deportation of failed asylum seekers.

Such controversial asylum and migration policies should not become the blueprint for the new Common European Asylum System, which is now on the EU's agenda, especially in view of the upcoming German EU Presidency. Asylum seekers from conflict-torn regions, such as Baluchistan, should be offered proper protection in EU Member States, as per international human rights standards. Especially given the lack of their access to fair trial and to dignified detention conditions, which deprives them of their fundamental freedoms and puts their lives in danger in their home countries.

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