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**Promotion and protection of all human rights, civil,
political, economic, social and cultural rights,
including the right to development**

Written statement* submitted by Maat for Peace, Development and Human Rights Association, a non- governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[22 August 2019]

* Issued as received, in the language(s) of submission only.

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Enforced disappearance in Pakistan

Introduction

The use of enforced disappearance has become a strategic method of spreading terror within the community. The feeling of insecurity generated by this practice is not limited to the relatives of the disappeared, but also affects their local community and society as a whole. Enforced disappearance has become a global problem and is no longer the preserve of a particular region of the world. While it was at the time of the product of military dictatorships, enforced disappearance can now occur in complex circumstances of an internal conflict, or in particular used as a political pressure on adversaries.

In Pakistan, civilians from the Baloch minority are subjected to enforced disappearances by the Pakistani army. Which constitutes an assault on a range of fundamental human rights, including the right to a fair trial and the right to good humane conditions during the trial and the right to life, in the event of the death of an enforced disappearance victim. On January 1, 2019, Pakistan's Prime Minister Imran Khan approved a bill criminalizing enforced disappearance.¹ However, 371 enforced disappearances were recorded during the first half of this year by the Pakistani army against the Baloch people.²

Identity-Based enforced disappearances in Pakistan

Despite growing anger in Pakistan over the prevalence of enforced disappearances criminalized by international charters and conventions such as the International Covenant on Civil and Political Rights and the International Convention for the Protection of All Persons from Enforced Disappearance, the government has yet to acknowledge its responsibility for hundreds of people who have been arbitrarily detained in secret places by the Pakistani army, especially the Baloch minority.

The Pakistani army continues to commit enforced disappearances on the basis of identity. In June 2019, it committed enforced disappearance against 44 people in different parts of Pakistan, such as Awaran and Kech. One of these cases was the arrest of Bashir Ahmed, a resident of al-Awaran neighborhood, when he was on his way to work on June 26. Bashir was tortured, resulting in his death and bringing his body the next day to the local hospital,³ in violation of his right to life.

In the same month, Yasin Basham, a student of Biochemistry in Bhawalpur University and resident of Turbat's district Kech, was abducted by unknown gunmen. Army forces whisked away and disappeared 5 students from a house in Gwadar city. They are identified as Najib Noor, Rizwan Rahi, Adil Baloch, Naim Deedag and Bilal Baloch. Bilal Baloch and Rizwan Rahi were later released, while the whereabouts of the others are still unknown.⁴

On June 16, 2019, Ali Haidar, a 16-year-old human rights activist, disappeared from Gwadar Balochistan, and is believed to have been captured by Pakistani army forces. It is believed that he is the latest victim of the Pakistani army's decades long practice of enforced disappearances.⁵

In May 2019, the Pakistani army arrested a group of people extrajudicially and without specific charge. For instance, Maqbool Yar Mohammad was abducted by personnel of Intelligence agencies from his house in Hub town of district Lasbela on 3 May. On 20 May,

¹ Sohail Chuadhry, PM approves draft law to criminalise 'enforced disappearances', tribune news, <http://bit.ly/2YpVkuq>

² Balochistan: The State of Human Rights. Bi-Annual Report 2019, Human Rights Council of Balochistan, <http://bit.ly/2KuhFgF>

³ Balochistan: 44 disappeared, 27 killed in June 2019, Baloch Human Rights, <http://bit.ly/2MSC4in>

⁴ Balochistan: 44 disappeared, 27 killed in June 2019 مرجع سابق ذكره

⁵ Balochistan: Teenage son of missing man went missing, Human Rights Council of Balochistan, <http://bit.ly/2KtJaH2>

forces raided the house of Allah Bakhsh in Gwadar, Balochistan and dragged him away from the house. Three days later, the house was raided again and military took away his wife, Ayesha and two daughters, Mahtap and 16 years old Nazelah. Mother and daughters were released later while whereabouts of Allah Bakhsh remained unknown.⁶

In April 2019, 59 persons were forcibly disappeared by security forces from Awaran, Kech, Gwadar, Lasbela, Panjgur districts of Balochistan. Security forces raided Shehaq Bugti's house in Rabi, Naseerabad and abducted 5 women and 4 children. The victims were later identified as Dhando Ratta Bugti, Shozan Shehak Bugti, Bujari Bibi Shehak, Pati Karim Bugti, Jamil Karim, 6 years old Batte Khan Shehak Bugti, Zargul Shehak, 3 years old Amina Bibi Shehak and Noor Banuk Shehak,⁷ in violation of children's rights

During March 2019, 60 people were subjected to enforced disappearance in Pakistan by army forces from Chagai, Kech, Khuzdar, Lasbelal, Bangor and Chowk in Balochista.⁸ The poet and writer Nazar Mohammad, resident of Kolwa area of district Kech Balochistan, has been abducted on March 5, 2019 by Pakistani security forces from district Kech.⁹ A police trainee, Shakoor Babu was abducted when he was on his way to the police academy in Turbat, Balochistan, the district headquarter of district Kech, on March 3.¹⁰

In February 2019, Pakistani security forces abducted Gwahram Basham, Muhammad and Siraj from Heronk district Kech. Basham died of torture by security forces, while whereabouts of Mohammad and Siraj remain unknown.¹¹ All these practices constitute a violation of human rights, including the rights to life and fair trial. The Pakistani army carried out similar operations in January, violating fundamental human rights. All arrests are arguably carried out without specific charges and outside the law, therefore, they are enforced disappearances.

Recommendations

- To urgently clarify the fate and whereabouts of the disappeared persons by the Pakistani authorities, including the response to all urgent action correspondence addressed to the Committee on Enforced Disappearance under the subject matter.
- To establish an independent commission of inquiry to investigate all enforced disappearances
- Hold accountable every member of the Pakistani military who committed an act of enforced disappearance immediately, and limit the role of the Pakistani army in this context.
- Promulgation of the law on the criminalization of enforced disappearance, with giving a role to Pakistan's Ministry of Human Rights in combating the crime of enforced disappearance and raising awareness of its harm to society.

⁶ Balochistan: 70 forcibly disappeared 36 killed in May: BHRO , thebalochistanpost. , <http://bit.ly/2MFGn0d>

⁷ Balochistan: The State of Human Rights. Bi-Annual Report 2019 مرجع سابق ذكره

⁸ Baloch Human Rights <http://bit.ly/2MKvY39> جدول يوضح حالات الاختفاء القسري بالمناطق والأسماء

⁹ International Voice for the Baloch Missing Persons, <http://bit.ly/2KAVzca>

¹⁰ Balochistan: The State of Human Rights. Bi-Annual Report 2019 مرجع سابق ذكره

¹¹ Balochistan: 46 forcibly disappeared, 17 killed in February 2019 , Human Rights Council of Balochistan , <http://bit.ly/2OJUEvp>