



# General Assembly

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## Human Rights Council

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Agenda item 3

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

### **Written statement\* submitted by the Society for Threatened Peoples, 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.

[11 February 2013]

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\* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

## **Enforced disappearances among the Baloch minority in Pakistan**

Currently, enforced disappearances are the most frequent crime and a constant threat to life for ethnic Baloch in Pakistan's western province of Balochistan. Society of Threatened People is extremely concerned about the alarming scope of human rights violations in conjunction with enforced disappearances which are one distinctive feature of the ongoing conflict between armed militant groups and government security forces. Enforced disappearances take place in a province in which armed militants, particularly Baloch nationalist groups, and intelligence agencies of the security forces stay in armed conflict.

Baloch insurgency and tensions between the central government and its Baloch opposition especially, date back to Pakistan's independence in 1947. Since the beginning of military operations by the Frontier Corps (FC) and the Pakistan Army in 2005, the conflict intensified. The spread and increased scope of fighting have led to a dire humanitarian crisis with thousands of Baloch political activists, journalists and academics internally displaced, brutally tortured and killed in custody. Corroborating evidences show a dramatic increase of cases of enforced disappearances in recent years. International human rights groups have documented 5000 cases of disappearances in 2012. While Baloch human rights groups claim 14000 disappeared Baloch men and women and 500 recovered mutilated bodies, the Pakistani Ministry of the Interior admitted 2.186 victims of violence in January 2013.

Cases documented by Human Rights Watch (HRW) show that Pakistan's security forces, especially its intelligence agencies Military Intelligence (MI), Inter-Services Intelligence (ISI), Intelligence Bureau (IB) and the paramilitary Frontier Corps (FC) are targeting ethnic Baloch suspected of alleged involvement in the Baloch nationalist movement, like the Baloch Republican Party (BRP), Baloch National Front (BNF), Baloch National Movement (BNM) and Baloch Students Organization (BSO). Predominantly, victims are men in their mid-20s to mid-40s, subjected to brutal torture before they were killed and their bodies dumped in desolated areas. Abductions are carried out in broad daylight, often in public busy places by armed men in civilian clothes, and assisted by the police being present at the scene.

On January 22, 2013, the tortured and mutilated body of a Baloch activist, who had been abducted from Mand Balochistan, was found in Malir region of Karachi. According to media sources in Balochistan Adnan Baloch S/O Haji Akram Baloch was abducted by Pakistani security forces from Kehnek area of Mand, Balochistan on 30<sup>th</sup> of June 2012. The VBMP said Pakistani security forces are continuing their atrocities in Balochistan unabated and with international impunity.

This case illustrates a disturbingly regular feature of the practice of enforced disappearances. The authorities or their agents take people into custody and then deny all responsibility or knowledge about their fate or whereabouts. Official activity prevalently ends with the registration of cases, both information on the fate of persons and investigations by the police are scarce.

As part of a widespread and systematic attack on Baloch population the practice of enforced disappearances directly violate international human rights obligations as well as Pakistani domestic law. With not concealing the fate of disappeared Baloch, the state is constantly committing an internationally recognized crime against humanity. Despite Pakistani law not containing an explicit prohibition of enforced disappearances, it does criminalize abductions, kidnappings, wrongful restraint and confinement. The right to habeas corpus is continuously undermined by the failure of the courts to meaningfully

uphold it and by security defiance. Legal gaps going along with the Anti-Terrorism-Act (ATA) of 1997 which allows long-term detention without trial, continuously undermine constitutional protections against unlawful detention.

Since 2008, the government took significant steps to address human rights violations in Balochistan. Two Commissions of Inquiry for Missing Persons have been formed by the Supreme Court in May 2010 and by the federal Ministry of Interior in March 2011. Contiguous to a public apology of President Asif Ali Zardari to the people of Balochistan in 2008, the government released the 2009 “Beginning of Rights in Balochistan” featuring the release of political prisoners against whom terrorism cases are not pending, the expeditious recovery of missing persons and the stopping of new cantonments in Balochistan.

To date, the government has not kept its promises to effectively address the crisis of enforced disappearances in the province. A big part of perpetrators documented by HRW have not been held accountable and a network of lasting impunity of security forces, police, courts and high-level government officials seems to penetrate the system at all levels. The imposition of governor’s rule in Balochistan in January 2013 clearly stands for the ongoing undermining and suppression of ethnic Baloch and underlines the government’s unwillingness to any power transition from the government to the province.

As documented by reputable human rights organizations such as Human Rights Commission of Pakistan (HRCP), Amnesty International (AI) and HRW, it is clear that Pakistan’s civilian government has lost effective control over a military that is committing widespread atrocities and war crimes inside Balochistan.

Society for Threatened Peoples calls on the Human Rights Council to urge the Government of Pakistan to:

- Take all necessary measures to end enforced disappearances, extrajudicial killings and arbitrary detentions of political activists, journalists, academics and civil society, and fully investigate and prosecute in fair trial all persons, regardless of their position or rank, ordering or carrying out such abuses;
- Communicate directly to the agencies responsible for human rights violations, including the army, ISI, IB, FC, police and other law enforcement agencies to demand an end to abuses and facilitate criminal inquiries to hold perpetrators accountable and point out that all human rights violations as mentioned above will result in conditions on or an end to relationships with those agencies;
- Put an immediate end to all military operations carried out in Balochistan and halt the construction of new military cantonments and outposts with independent monitoring and supervision of UN observers;
- Release political prisoners and fully account of the fate of all disappeared persons,
- Allow Baloch political parties to function and resume their political activities without any interference from intelligence agencies.