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Human rights situations that require the Council's attention

Written statement* submitted by Association MIMAN, 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.

[5 February 2023]

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



Pakistan Should End The Practice Of Systematic Enforced Disappearances

The UN Working Group on Enforced Disappearances concluded after their visit to Pakistan in 2012 that the problem of enforced disappearances not only exists but that, according to some of their sources, more than 14,000 persons remained disappeared only in Balochistan province of Pakistan.^{1*}

It is well known that a large number of political activists, intellectuals, and students, who “celebrate” August 11 as their so-called “Independence Day”, have gone missing in the Balochistan province of Pakistan in the past few decades.

The families allege Pakistan’s spy agencies behind enforced disappearances, tortures, and killings of those missing persons. There are even reports of protesting family members being harassed by the spy agencies and security forces. ^{2*}

The state’s level of seriousness in addressing this issue can be gauged by the fact that the list of missing persons on the website of the Commission of Inquiry on Enforced Disappearances remains a blank page.

Most of the relatives of abductees are poor with little to no education. However, they could too understand that it’s the state’s responsibility to ensure due process of law. Due to unemployment and lack of literacy, loved ones of the abducted people have sole bread earned in custody, however, they could too understand that it’s the state’s responsibility to ensure due process of law.

Many missing people aren’t counted because their National Identity Card (NIC) details do not exist or their families lack the resources to register their cases. The abductees and their families are subjected to a perversion of justice that turns the presumption of innocence (‘innocent until proven guilty’) on its head.

People of Balochistan province of Pakistan have faced years of state violence and structural intimidation, due to which many people have also committed suicide. At least three suicide cases emerged just this month among families who were continuously harassed by the state apparatus.

22 year-old Tabish Waseem, a member of Baloch Students Organization-Pajjar (BSO-Pajjar), was abducted by two unidentified men from a private hospital in southwest Pakistan’s Balochistan on June 9 last year. Waseem was killed last month in what many declared was a fake encounter in the Kharan district in Balochistan, Pakistan.

His father Muhmmad Shareef claimed that the abductors were personnel of the paramilitary force Frontier Corps, who forcibly took away his son. He alleged that his son was tortured and subsequently killed. “Then they say they were ‘terrorists’,” he told the Guardian.^{*3}

Balochistan province of Pakistan: Neglected still

On 02 October. The Human Rights Commission of Pakistan (HRCP) has released a detailed report after a fact-finding mission to Balochistan province of Pakistan. Titled Balochistan: Neglected Still, the report states that Balochistan province continues to be shortchanged politically.

Incidents of enforced disappearance continue: in most cases, victims’ families say they are afraid of communicating their cases to the authorities. A disconcerting trend is that of women being ‘disappeared’ in certain areas, such as Dera Bugti and Awaran. Yet these cases tend not to be reported or recorded. HRCP’s investigation also reveals that hundreds of coal mines are being operated by people who possess neither the financial resources nor the technological skills to provide for operational safety or deal with emergencies. The mission found that security agencies impose an unofficial security charge on per ton production from coal mines, which mine owners and labour unions alike have deemed extortion. HRCP believes that the level of the Frontier Corps’ presence in Balochistan and its degree of control undermines provincial government and civilian administration. The unwarranted

involvement and permanent presence of security personnel in educational institutions like Balochistan University must also end.

HRCP strongly feels that the provincial government and civilian administration must run the affairs of the province without any undue interference. In addition, a law that criminalises enforced disappearances, punishes the perpetrators and compensates victims' families must be enacted expeditiously.*4

During the Pakistan UPR 'th Cycle review states like Germany, India, Brazil, Netherlands (Kingdom of the), Paraguay and other member states have asked Pakistan to ratify the Convention for the Protection of All Persons from Enforced Disappearance and that they need to resolve the issue of custodial killings. Italy recommended ending enforced disappearances, ratifying the EDK Convention and holding those involved accountable.

While the United Kingdom of Great Britain and Northern Ireland and the United States of America demanded democratic policies from Pakistan, they expressed concern over the killing of minority groups, religious minorities, especially Ahmadis.

In addition to the detailed report on killings in fake encounters of missing persons, Pakistan had assured in the previous meeting that children and women would not be harmed during the operation, but the situation hasn't changed. Apart from this, in the previous meeting, Pakistan had committed to take action against the person involved in the 'violence', but a list of 1713 persons was collected whose disappearances were not punished and held accountable.*5

On 3rd February 2023, Abdul Hafeez Muhammad Ramzan is a Pakistani businessman who had been residing in the United Arab Emirates (UAE) since 2012. On January 27, 2022, he was arrested and forcibly disappeared by the United Arab Emirates security forces before being deported to Pakistan on February 2, 2022, in violation of article 3 of the UN Convention against Torture, which the United Arab Emirates has ratified. In May 2022, Ramzan was seen in Karachi Central Prison in Pakistan.

The family members of Abdul Hafeez Ramzan " claimed that unidentified people in four-by-fours on Friday attempted to 'kidnap' a person, who had been acquitted by an antiterrorism court, outside the Karachi central prison. However, the attempt was foiled by his family members present there to receive him outside the jail.

They claimed that Abdul Hafeez Baloch Baloch was 'kidnapped' in the United Arab Emirates last year and 'illegally' brought to Pakistan, where he underwent imprisonment for one year. He was acquitted of all charges by the ATC on Friday.*6

Our NGO calls to Pakistan end the practice of systematic enforced disappearances and to ratify the International Convention for the Protection of All Persons from Enforced Disappearance; to specifically criminalize enforced disappearances in the penal code and to reinforce the capacities of the country's Inquiry Commission on Enforced Disappearances to ensure perpetrators are identified and prosecuted.

Voice For Baloch Missing Persons (VB?P), Baloch Peoples Congress (BPC), Baloch Voice Association (BVA), Baloch Voice Foundation (BVF), NGO(s) without consultative status, also share the views expressed in this statement.

1* <https://newsarchive.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=12549&LangID=E>

2* <https://eurasiatimes.com/crushing-balochistan-enforced-disappearances-extrajudicial-killings/>

3* <https://menarights.org/en/case/abdul-hafeez-muhammad-ramzan>

4* <https://hrcp-web.org/hrcpweb/balochistan-neglected-still/>

5* <https://www.newsintervention.com/unhrc-requests-pakistan-to-stop-enforced-disappearances/>

6* <https://www.dawn.com/news/1735346>