

General allegation

105th session (2 – 6 March 2015)

Pakistan

98. On 26 March 2015, the Working Group transmitted information received from credible sources concerning obstacles encountered in the implementation of the Declaration in Balochistan.

99. It was reported that families of disappeared persons were often harassed by State agencies allegedly responsible for the disappearances. Some families were promised by the perpetrators that, as long as they kept quiet, the disappeared persons would be released. Sources stated that families were often warned not to approach any court, media or human rights organization. A number of families of disappeared persons that ignored the threats and reported the cases had been subjected to reprisals. In some cases, their disappeared relatives were tortured and murdered while in detention; in others, family members who reported a case of enforced disappearance were themselves abducted, tortured and killed by the alleged perpetrators of the initial abductions.

100. It was alleged that Mr. Jalil Reki, whose case has been registered with the Working Group (case No. 10002879), was murdered in custody by intelligence personnel, apparently as a result of his family's active campaign for his reappearance. Sources also claimed that two family members of missing persons had been murdered in State custody owing to their active role in a family association of disappeared persons. Reportedly, individuals working for family associations of disappeared persons in Balochistan had also received threats from State agencies after engaging with the Working Group during its visit to Pakistan in 2012. Allegedly, a family member of the person who organized a campaign calling for the release of the disappeared persons in Balochistan was arrested and tortured by intelligence agents as a form of reprisal.

101. Sources also reported that family members who actively pursued cases of enforced disappearance and members of non-governmental organizations who work on those cases were being sued before courts on fabricated charges as a form of reprisal. Some lawyers working on cases of enforced disappearance had been subjected to harassment, including enforced disappearance.

102. It was alleged that few disappeared persons who were in detention have been set free following orders of the Supreme Court of Pakistan. In many cases, despite repeated court rulings ordering the release of the individuals, the disappeared persons were instead found dead; for instance, sources reported that, despite orders from the Supreme Court of Pakistan for the release of Mr. Mohammad Khan Marri (case No. 10003120) and another individual, their dead bodies were found in Quetta. In some cases, the bodies of the disappeared persons bearing torture marks were found in the street, even during the hearings of their cases. Allegedly, Supreme Court hearings on cases of enforced disappearance often coincided with the finding of the bodies of the disappeared persons. For fear of reprisals against the disappeared relative, a family begged the Chief Justice of the Supreme Court during a court hearing not to issue a release order.

103. It was reported that mass graves and human remains have been found in Tootak (Khuzdar). Sources claimed that the remains in the mass graves belonged to victims from Balochistan who had been abducted by the security forces of Pakistan. Two bodies had been identified by relatives, who claimed that the victims were abducted by the Frontier Corps on 30 August and 4 December 2013 respectively. Identification work was challenging, as the bodies were decomposed. Moreover, some of the bodies had been reportedly burned by acid.

104. The Supreme Court requested the provincial Government of Balochistan to conduct DNA tests to identify the bodies in the mass graves. Allegedly, no action has been taken in this respect. In the meantime, gravesites have been sealed off by Pakistani security forces. Sources argue that no independent body has yet been allowed to examine the gravesites. Further concerns have been raised that evidence might have been tempered with or removed.

105. Sources reported that the federal Government had issued an order for the provincial Government of Balochistan to establish a judicial commission with the powers of a civil court to investigate the mass graves in Khuzdar District. The commission, headed by a judge from the Balochistan High Court, was established. Concerns are further raised about the impartiality of the members of the commission and the credibility of its proceedings and rulings.

106. Reportedly, families of disappeared persons face problems registering first information reports with the police. In 2010, the Supreme Court emphasized that first information reports of disappeared persons should be registered with the police stations concerned. Immediately after the court order, some first information reports were filed. After some time, however, family members again began to experience difficulties in filing first information reports.