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Human rights situations that require the Council's attention

Written statement* submitted by Centre for Gender Justice and Women Empowerment, 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 January 2024]

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

The Escalating Crisis of Enforced Disappearances and Extrajudicial Killings in Balochistan, Pakistan

The Centre for Gender Justice and Women Empowerment would like to bring to your attention the alarming increase in the cases of enforced disappearances and extrajudicial killings in Balochistan, Pakistan.

Enforced disappearances and extrajudicial killings have long plagued the Baloch people in Pakistan. The state of Pakistan has been practising enforced disappearances and extrajudicial killings to silence all the voices struggling to exercise their right to self-determination.

According to data collected by various human rights organizations and verified by the Baloch Human Rights Council (BHRC), 506 individuals were subjected to enforced disappearances in Balochistan in 2023. Shockingly, Pakistani security forces extrajudicially killed 47 of the missing persons. The number of forcibly disappeared individuals from January 2022 to December 2022 was 367, indicating a significant increase in such cases last year.

The crimes against humanity in Balochistan have deeply impacted the lives of nearly every family. The families of the victims endure the trauma of their members' disappearances. Furthermore, these families encounter harassment, intimidation, and physical threats or attacks when they report or speak out against enforced disappearances. In most cases, their quest to discover the fate and whereabouts of their members comes to a futile end, as they exhaust all domestic remedies with no results. The judiciary, in the face of the powerful military establishment of Pakistan, remains helpless.

In an effort to combat enforced disappearances and extrajudicial killings, family members of the victims initiated a march from Turbat City in Balochistan to Pakistan's capital, Islamabad, in December 2023. Instead of addressing their demands, Pakistani authorities violated their right to freedom of expression and assembly, employing water cannons and baton charges against the protesters in Islamabad. Subsequently, the predominantly women and children demonstrators were arrested in a humiliating manner and several bogus FIRs have been filed against those leading the protest. The distressed families have staged a sit-in protest in Islamabad since December 2023.

To add insult to injury, the caretaker prime minister of Pakistan, Anwar-ul-Haq Kakar, in his recent public speeches, has branded victims of enforced disappearances as terrorists. Meanwhile, the state, on the other hand, continues to deny their existence. The interim Prime Minister did not hesitate to emphasize the state's monopoly on the use of violence, threatening to deal with anyone sympathizing with the families of the victims of enforced disappearances and extrajudicial killings.

We are deeply concerned, as these measures by the state indicate a lack of will to resolve the issue of missing persons and instil fear among the families that their missing members may face extrajudicial killings. This grim reality reflects Pakistan's blatant disregard for human rights and international human rights laws, without the fear of accountability.

Enforced disappearances are crimes under the International Covenant on Civil and Political Rights and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, both of which Pakistan ratified on 23 June 2010. They also violate the Declaration on the Protection of All Persons from Enforced Disappearance, which asserts that no person should be subjected to enforced disappearance, and no exceptional circumstance, such as a public emergency, can be invoked to justify this crime. Article 9 of Pakistan's Constitution states that "no person shall be deprived of life or liberty save by law." Although not specifically defined by national law, its components are covered by existing laws on abductions, wrongful restraint, and confinement. Despite ongoing recommendations by the Human Rights Council, Pakistan has yet to ratify the International Convention for the Protection of All Persons from Enforced Disappearance (CED). This failure incentivizes perpetrators to commit crimes with impunity.

We believe the protection of human rights is non-negotiable. The United Nations must actively monitor and address human rights violations in the region, urging accountability for any transgressions. Safeguarding the rights and dignity of the people is foundational to any lasting resolution.

We request the United Nations to:

1. Urge Pakistan to reveal the fate and whereabouts of victims of enforced disappearances, engaging with the families and ensuring appropriate compensation.
2. Hold accountable all those involved or facilitating enforced disappearances in Balochistan and other regions of Pakistan.
3. Urge Pakistan to ratify the CED and to enact implementing legislation, integrating these treaties into the domestic law of Pakistan.