

Oral Statement of the International Commission of Jurists, supported by Human Rights Commission of Pakistan, in the Interactive Dialogue with the Working Group on Enforced or Involuntary Disappearances

ENFORCED DISAPPEARANCES IN PAKISTAN

15 September 2016

The International Commission of Jurists (ICJ), with support of the Human Rights Commission of Pakistan (HRCP), welcomes the Working Group's follow-up report on recommendations from its 2012 visit to Pakistan (UN doc A/HRC/33/51/Add.7).

The practice of enforced disappearance has persisted and expanded since the Working Group's visit. Previously restricted mainly to Balochistan, the Federally Administered Tribal Areas and Khyber Pakhtunkhwa, enforced disappearances are now a nation-wide phenomenon.

In August 2015, Zeenat Shahzadi, a Pakistani journalist, went "missing" from Lahore, a rare case of alleged enforced disappearance of a woman.

Estimates of the overall number of cases of enforced disappearance vary. The official Commission of Inquiry on Enforced Disappearances has reported nearly 1,400 unresolved cases. The HRCP, an NGO that documents human rights violations in 60 districts, has reported 370 cases of enforced disappearance since 2014. Other NGOs claim between 5,000 to 18,000 cases. Even by the most conservative estimates, a significant number of enforced disappearances remain unresolved.

The Government has not brought perpetrators to account in even a single case of enforced disappearance. Rather than effective measures to prevent the practice or to strengthen existing accountability mechanisms, recent legislation actually facilitates enforced disappearances. In January 2015, Pakistan empowered military courts to try civilians for terrorism-related offences. These courts have since sentenced at least 100 people to death, and at least 12 have been hanged, after grossly unfair trials without possibility of appeal to any civilian courts, including the Supreme Court. Families allege that some of those tried had been subjected to enforced disappearance by military authorities, and military control over the proceedings leaves the family and victim without effective remedy.

Victims' groups, lawyers, and activists working on enforced disappearance also continue to face security risks including attacks, harassment, surveillance, and intimidation.

The ICJ and HRCP commend the Working Group for its systematic follow-up, which can have a positive impact, and urge the Working Group to continue to monitor and report on the situation in Pakistan.

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