



Journal of Social and Political Sciences

Patel, P., & Sharma, S. (2022). Enforced Disappearances: A Major Human Rights Issue in Balochistan. *Journal of Social and Political Sciences*, 5(4), 24-34.

ISSN 2615-3718

DOI: 10.31014/aior.1991.05.04.375

The online version of this article can be found at:
<https://www.asianinstituteofresearch.org/>

Published by:
The Asian Institute of Research

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Enforced Disappearances: A Major Human Rights Issue in Balochistan

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Abstract

Ever since Kalat rulers gave away the rule of their Kalat state comprising Balochistan, in the hands of Pakistan in 1948, the people of Balochistan have been demanding freedom and to declare it as an independent nation. Their demand slowly converted into a violent struggle and separatists resorted to insurgency, commonly known as ‘Baloch Insurgency’. Pakistan too resorted to counter insurgency, commonly known as ‘Pak Counter Insurgency.’ Pakistan adopted enforced disappearances as a major tool to suppress the violent struggle, by forcibly abducting family members of the suspect. The menace of enforced disappearance has now engulfed entire Balochistan province and no day goes without such acts of kidnapping, abduction, sexual assaults, killings and enforced disappearances, at some place or in some area of Balochistan. There is no end to such atrocities and genocide. There are severe violations of the human rights in the province. In the context, enforced disappearances of the people are a major human rights issue in Balochistan.

Keywords: Enforced Disappearances, Extra Judicial Killings, Human Rights, OHCHR, VBMP

1. Introduction

Balochistan is currently a province of Pakistan which is a Islamic State having its borders with neighboring Iran to the west, Afghanistan to the northwest and north, China to the northeast, and India to the east and southeast. Balochistan is a natural resources rich region with natural reserves of gold, copper, oil, valuable stones, chromite and natural gas. Its oceanic coastline stretches along with the Straits of Hormuz which is regarded as one of the world's most important shipping routes. Balochistan occupies 44% land area of Pakistan with a meager 6% of population of entire state of Pakistan. Presently, the province of Balochistan is passing through a very rough time at the hands of authoritarian rule of Pakistan. Day in and day out, Baloch people are being subjected to atrocities by way of rapes and genocide. Unwarranted raids are made on rural villages, houses being searched, people being dragged out of their homes, women and girls being sexually assaulted and villages being put on fire by the security forces, military men and barbaric authorities on the orders of Army, ISI (Inter-Services Intelligence), CTD (Counter Terrorism Department) and FC (Frontier Corps) (UNPO, 2014). It's not the end of the woes but armed

forces abduct the Baloch people from their homes, markets or even from the roads or forests. The search operations are not limited to rural population only but spread over towns, cities, universities, colleges, hostels, schools and even libraries. The students, women and girls, all are facing the detentions and excesses of authorities. The Baloch people, in such a way, become subject to enforced disappearances.

2. Background Leading to Conflict in Balochistan

Ever since Kalat rulers gave away the rule of their Kalat state comprising Balochistan, in the hands of Pakistan in 1948, Balochistan has been in confrontation with the state of Pakistan. The people of Balochistan have been demanding freedom from Pakistan and to declare Balochistan as an independent nation. Today also, majority of Balochs consider that the state of Pakistan annexed their land forcibly against the will and desire of their people. The Baloch nationalists have never accepted this annexation, and as a result, Balochistan province has been in turmoil. The present-day crisis in Balochistan is the result of waves of insurgencies that have occurred over a period of time. The first insurgency broke out in March 1948, after Balochis were reluctant to join Pakistan in 1947. The last ruler of Kalat, Mir Ahmed Yar Khan, declared independence on 15th August, 1947. In 1948, Pakistan army was sent to the province to forcefully join Pakistan. The showdown between Kalat and Pakistan came on April 1, 1948, when the Pakistan Army ordered its garrison commander in Balochistan to march on Kalat and arrest the Khan unless he signed an agreement of accession (Harrison,1981). Therefore, the Instrument of Accession was signed by Khan of Kalat. His younger brother, Prince Abdul Karim declared revolt against Pakistan and went to Afghanistan. However, he could not secure support from Kabul.

The second insurgency erupted in late fifties. It primarily stemmed from the establishment of One Unit. Commonly known as Jhalawan disturbance, the insurgency was confined to the districts of Kalat, Khuzdar and Kohlu. It was temporarily terminated in March 1960 after declaration of general amnesty and surrender of Sardar Nauroz Khan. He was given life imprisonment and later died in Pakistani prison. Poor handling of Sardar Nauroz Khan and his family by the government laid the seeds of lack of trust in Balochi people towards the Federation of Pakistan. The decade of sixties again found Balochistan gripped into the third insurgency. Its causes revolved around removal and arrest of tribal chieftans, Nawab Akbar Bugti, Khair Bakhsh Marri, AttaUllah Mengal and Ghaus Bakhsh Bizenjo on the charges of supporting Sardar Nauroz Khan. Geographically, the area engulfed by the insurgency included districts of Kalat, Khuzdar, Kohlu and Dera Bugti. Dissolution of One Unit and general amnesty, again gave Balochistan a brief spell of peace with the formation of Baloch Government in 1972 (Matheson 1999).

The fourth insurgency erupted in 1973 due to state's inability to find lasting solution to the provincial problem. In 1970 general elections, National Awami Party (NAP) and Jamat- Ulema-i-Islam Party (JUI) secured the majority of seats in the Balochistan Assembly. A coalition government was formed in the province. It started after the pre-planned removal of Balochistan government headed by Atta Ullah Mengal with Ghaus Bakhsh Bizenjo as governor, by the then Prime Minister of Pakistan, Zulfikar Ali Bhutto in February 1973 and encompassed general areas of Kharan, Sibi, Dera Bugti, Khuzdar and Kohlu. This insurgency could have lasted longer but the declaration of general amnesty by General Zia ul Haq normalized the situation but without addressing the root causes (the Express Tribune, 2013).

The fifth and ongoing insurgency began in 2004 during the military rule of General Pervez Musharraf. According to the reports of Human Rights Watch (2010), the struggle has engulfed the whole of Balochistan since Musharraf began operations in 2006. In a military operation, Baloch politician, Akbar Bugti was killed and the problem became more severe. The situation further aggravated after the development of Gwadar Port, without addressing the concerns of locals coupled with disappearance of Nawab Akbar Bugti from the provincial landscape in 2007. According to Bansal (2006) "The current spate of insurgency in Balochistan is a product of repressive policies coupled with historical grievances that have led to increased alienation amongst the Baloch and general perception that they were being exploited."

3. Enforced Disappearances

The Office of the High Commissioner for Human Rights (OHCHR) a wing of United Nations in the field of human rights, defines an enforced disappearance as, “an act of encroachment of liberty of any person against his/her will by any of the authorities by involvement or an acquiescence and further to refuse to acknowledge such a deprivation of liberty by concealing his/her whereabouts.”(OHCHR | Working Group on Enforced or Involuntary Disappearances, n.d.) According to Commission of Inquiry on Enforced Disappearances (COIED) a constitutional body of Pakistan, Enforced Disappearance/Missing Person means such person as has been picked up/taken into custody by any Law Enforcing/Intelligence Agency, working under the civilian or military control, in a manner which is contrary to the provisions of the law. (About Us – COMMISSION OF INQUIRY ON ENFORCED DISAPPEARANCES, n.d.).

Keeping the law, rule and constitutional rights of the nationals and citizens of Pakistan at bay, the authorities and security forces high handedly deal with the Baloch people depriving them of their liberty at gun point. Even if one is just a Balochi, whether a common man, a teacher, a journo or an activist, every one of them carrying Baloch tag is seen with a suspected eye. The person is treated as if one is criminal. The disparity continues at all levels not only in the region of Balochistan but also everywhere else. Balochis are either eliminated in most parts of the world where ever Pakistan authorities can lay their hands or are put on a hit list of the ISI. The modus operandi as adopted by the authorities and its allies is simple in nature; identify Baloch tag, follow it by intelligence sources and once the Baloch person or family is suspected to have separation ideology or reported to be participating in liberation activity; then forcibly disappear one, more or all of the family, without any trace. It is alleged that tens of thousands of persons are missing in Balochistan by way of enforced disappearances.

Since beginning of the year 2019 itself and till 31st August 2022, over 2000 people have undergone enforced disappearance in Balochistan. Most of the cases go unreported in the absence of witnesses which fear for their own lives and the stringent policy of authorities who do not register the FIRs as long and as far as possible. The reported figures as per HRCB reports suggest, 568 persons forcibly disappeared in 2019, another 480 persons in 2020, over 442 persons in 2021 and over 350 in the year 2022 (till 31st of August).

Table 1.1: Enforced Disappearances in 2019 - 2022 (Till August 2022)

Year	Enforced Disappearances (in numbers)	Persons Released (in numbers)	Whereabouts not known
2019	568	Not Known	568
2020	480	32	436 (*12 feared dead)
2021	442	170	272
2022 (Till August)	350	Not Known	346 (*4 feared dead)

Source: HRCB reports of respective years

There are plenty of instances where influential people have been kidnapped, disappeared, tortured and killed. Some of them are illustrated here:

3.1. Jalil Reki Baloch

Jalil Reki Baloch son of present day VBMP vice chairman Mama Qadeer Baloch (founder of VBMP), was abducted and disappeared in the year 2009. Subsequently Jalil Reki Baloch was killed in the year 2012 by the agencies and his body was found near Iran border. The surviving father of deceased Jalil Reki, Mama Qadeer Baloch organized a long march of over 3300 km, from Balochistan to Islamabad which started on 27th October

2013 and reached Islamabad on 28th February, 2014. A large number of Baloch women and men participated in the march to show their unity and anger against such enforced disappearances inflicted by the authorities.

3.2. Zahid Baloch

Then Chairman of Baloch Students Organization-Azad, Zahid Baloch was abducted along with Asad Baloch from Quetta, the capital city of Balochistan, on 18th March 2014. Banuk Karima Baloch had been an eyewitness in whose presence Zahid Baloch had been abducted. The whereabouts of Zahid Baloch are not known till date and whether he is alive, is suspected. Karima Baloch strongly took up the case of Zahid Baloch and closely followed it from her exile abode in Canada till her disappearance and death in Toronto in December 2020.

3.3. Bhanuk Karima Baloch

A nominee in 2016 BBC's prestigious list of hundred most influential women in the world, Bhanuk Karima Baloch was living in exile as political asylum since 2015. She had played different roles at Baloch Students Organization and as Central Chairperson when BSO decided to send her abroad due to threat to her life. Her fate brought her end in Toronto on 21st December 2020 when her body was found in a lake. Karima Baloch was last seen live in Toronto on 20th December 2020 and since then disappeared. It's a mystery how she met her end and is questioned by different activists' forums of the world.

3.4. Sajid Hussain

A prominent journalist Sajid Hussain had been living in Sweden in political asylum since 2017. For the sake of his life, he fled from Pakistan in the year 2012 and stayed in hiding in Oman and Africa before he could be granted political asylum by Sweden. On 2nd March 2020, Sajid Hussain went missing from Uppsala city of Sweden without a trace. It is unfortunate, Sajid Hussain's body was later found in a river on 23rd April 2020, considerably after a lapse of 52 days from the date of his disappearance from Uppsala, Sweden. Many journalists' forums from different countries suspect and blame Pakistan and ISI for their involvement in such disappearances in foreign lands, citing another example of Karima Baloch who disappeared in Toronto, to be found dead the next day.

Impact of such enforced disappearances or killing of activists taking place in different parts of province of Balochistan, whether in hiding or in exile elsewhere in other country, leave deep impression on young minds as well as differently on people, in two ways round. On one hand some of the family members of some families withdraw from the revolution whereas on the other hand some take vow to never stop freedom struggle even if their lives get sacrificed for the cause. Many new young minds join the violent struggle including women who are ready to sacrifice their lives even by suicide bombing. The case of Shari Baloch is too fresh to reckon with, when Shari Baloch took to suicide bomb blast at Karachi to target Chinese teachers working at University of Karachi's Confucius Institute, on 26th April 2022 (Who was Shari Baloch, 2022).

On 21st February 2022 at Quetta, lawmakers, politicians, academics, lawyers, rights activists and political analysts took part in a discussion on a research report relating to identity and regional sensitivities to bridge the gap between Baloch youth and leadership. The participants agreed that Balochistan's youth were resorting to violence due to wrong policies of the state (Shahid, 2022).

4. Extra Judicial Killings of Balochis

'Extra Judicial Killings' can be termed as an act of crime arbitrarily inflicted against the humanity, by any authority in power or its agent, to undertake killing of an innocent, an activist or his family, any suspect or his family, an abducted or kidnapped person, an enforced disappeared person, an under-trial or a person in custody; without providing proper legal help or justice to the person or his family members as permitted and provisioned under law of the land or an international law. During unlawful searches and abductions by the armed forces, the forces drag out the family members of the suspect from their homes and assault them with heavy weapons, sexually assault

the women and girls of the family and kill the person or persons who try to resist such operations (Jha, 2021). Extra judicial killings have become strong feature of the Death Squad, Intelligence agencies and security forces of Pakistan. ‘Kill and Dump’ policy is in vogue. It is alleged that security forces and arms forces never bother for judiciary or the law enforcement authorities during such shoot outs and extra judicial killings, in Balochistan.

The province has witnessed such killings decade after decade. Such extra judicial killings mostly get no records or FIR’s because no government authority registers any complaint against such incidents, easily. Protests and rallies do take place at different places of the region, the capital cities and many important locations of the world to draw their attention, but to no avail. Some voluntary organizations viz. HRCB compile some data from their own sources. Media continues to remain banned in Balochistan and Pakistan.

The data as gathered from HRCB reports for last four years i.e. 2019 to 2022 are enumerated here.

Table 1.2: Extra Judicial Killings during the year 2019 - 2022 (Till August 2022)

Year	Number of persons killed
2019	241
2020	177
2021	336
2022 (Till August)	89

5. Human Rights Issue in Balochistan

Human rights are considered as basic rights granted to all human beings across the world. International human rights law legally binds the governments of all states to act in certain ways and restricts them to not act in certain ways that violate humanitarian laws. This helps in promotion and protection of fundamental freedom and human rights of individuals as well as groups. United Nations has created a comprehensive body of human rights law to promote and protect these rights and bound the states to carry out their responsibilities. The state of Pakistan is mostly alleged for human rights violation and abuse of power in Balochistan in various forms such as, unlawful search and detention, torture and physical abuse, and abduction and enforced disappearances.

5.1. Unlawful Search and Detention

It is unlawful to search a house of a person or his family without a proper search warrant issued by the authorities concerned. It is alleged that houses of residents, activists of Balochistan and their families and even women are searched at odd hours or early hours before dawn, by military forces or police without carrying warrants. The persons are carried to unknown places and detained for days, without a trace.

5.2. Torture and Physical Abuse

Torture is one of the most common forms of human rights violations. “No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment” states Article 5 of the Universal Declaration of Human Rights, adopted by the United Nations General Assembly in 1948. It is alleged that the detained persons are subjected to torture, inhuman treatment and physical abuse including sexual assaults.

5.3. Abduction and Enforced Disappearance

Abduction and kidnapping are other forms of human rights violations, which are commonly prevailing in Balochistan. So abducted or kidnapped person, activist or his/her family member either remain detained without trace and without any legal help or just disappears without any acknowledgement from the authorities (United Nations, n.d.).

It is alleged that the whereabouts of so abducted or kidnapped person is never made available to the family of the victim. Authorities even refuse to accept such an act of abduction or detainment. The Bureau of Democracy, Human Rights and Labor, which is United States' department, publishes country reports of various countries, including that of Pakistan. The bureau in their report on Pakistan for the year 2020, observed that government of Pakistan and its agents commit arbitrary and unlawful disappearances. The security force of Pakistan commits extra judicial killings throughout the country. The Frontier Corps (FC) and the local police, supposedly security providers and law protectors, become law breakers and perpetrators, amounting to grave human rights violators. (Country Reports of Pakistan, on Human Rights Practices for 2020 by United States Department of State, Bureau of Democracy, Human Rights and Labor).

Number of cases of human rights violations have been reported by the human rights organizations active in the region of Balochistan.

HRCP Report -Year 2019

Human Rights Commission of Pakistan (HRCP) in their report of the year 2019 has pegged the enforced disappearances in Balochistan at 47,000 Baloch so far, which is a huge human rights issue. Around 35,000 Pashtuns were also missing a figure indicated by HRCP in the same report (Jalil, 2022). Xari Jalil is a journalist who reports from Karachi and Lahore. She is also co-founder of Voicepk.net, a non-corporate/non-profit digital platform for human rights.

HRCB Report -Year 2020

According to HRCB annual report 2020 as many as 177 persons were killed by the security forces and army, of which 109 persons including one student was shot dead by FC across Balochistan, during the year 2020. The young university student was Hayat Mirza a Karachi University student and who had returned to Turbat to be with his family. On August 13, a military convoy came under an attack in which three military persons were injured. In retaliation, three army soldiers attacked the orchard in which Hayat was working. Hayat Baloch was dragged out to road, blindfolded and eight bullets were pumped into his body by one of the soldiers. No mercy was shown to standby parents who begged and begged for the life of Hayat (HRCB, 2021).

Even women and children were no exceptions and were executed during 2020. To set the example, Shahina Shahin, was killed in Turbat, Balochistan, on 5th September 2020. She was a popular female journalist, poet, artist and campaigner for women's rights. She had started a 'girl- only' organization, Dazgwar. She also started publishing a magazine 'girl-only' for aspiring women writers. She was shot two times in the chest and breathed her last in Civil Hospital in Turbat. On 18th October 2020, Asia Bibi was shot dead in Tump, by a police constable who is still at large. On 7th December 2020, two teenage boys Ameer Bakhsh, 16, and Haneef Meeran, 13, disappeared while traveling to Turbat from Tejaban area of district Kech. Their mutilated bodies were found the next day under a bridge in Herronk, 20 miles away from Tejaban. Both the boys were allegedly abducted by members of a local death squad for being family members of political activists.

COIED Report - Year 2021

The Commission of Inquiry of Enforced Disappearances (COIED) registered 952 new complaints of enforced disappearances from across the country during January 2021-April 2021. While Government of Pakistan had been claiming that the issue of enforced disappearances had had been resolved, the report of COIED indicated the enforced disappearances other way round. Mir Muhammad Talpur, a senior political worker of 1970s, from Zulfikar Ali Bhutto's Pakistan People's Party, stressed that in hard reality there are many disappearances in the smaller areas of the province and not just in the cities or larger districts of Balochistan. Talpur further categorically stated that the abductions and enforced disappearances have neither stopped in Balochistan nor in other provinces of Pakistan" (Jalil, 2022).

VBMP Report – Year 2022

VBMP who is leading the campaign for Baloch Missing Persons at Quetta club and rotating the hunger strike by family members of the victims of enforced disappearances, have completed long dark 4,756 days of their struggle till 10th September 2022. Its over ten years they started the campaign. Zubair Baloch Chairman of BSO Pajjar and eminent lawyers, other men and women participated in the camp to express their solidarity with family members of the people in dismay without any trace whatsoever. Mama Qadeer Baloch, VBMP Vice Chairman, expressed his anguish against cruelty, disappearances, detainment and killings which are same as in past and increasing more and more month by month. The State does not look serious about breaking the chain. Mama Qadeer equivocally said that such atrocities and genocide is continued by authorities to keep fear in the minds of Baloch people but the ‘Voice of Baloch Missing Persons’ cannot be silenced by such barbaric acts of security forces, army, FC and ISI. Baloch people will struggle for their rights till their last breath (Zrumbesh Broadcasting Corporation, 2022).

6. Analysis and Impact of Reports

These reports by different human rights organizations and forums are not just mere reports but are eye openers that how year after year human rights are more and more getting violated and how sufferings of Balochis are increasing in Balochistan. These reports suggest that searches and detentions are not alone limited to men in action but expands to students, girls, uprising women and intellectuals. It is an intimidating tactics adopted by authorities to warn the major section of the society that, persons or their kids developing an ideology of separatism or supporting such cause for liberation would never be spared. The organizations working for welfare of the society and human rights, loud such violations worldwide and at United Nations, requesting them to direct the authorities in Pakistan to restrain from such violations of human rights in Balochistan and to curb the spreading of high-handed dealing of Baloch fraternity. The analysis of reports also suggests that an activist, a separatist leader, a sympathizer of liberation struggle, a journo supporting cause of freedom or a head of Balochistan liberation forces, any one whether in hideouts or in exile in some other country of the world, is always under lenses of ISI and other intelligence agencies of Pakistan and facing threat of elimination from such agencies.

Impact of such reports can be well seen that United Nations and its agencies send their observers to Balochistan and Pakistan from time to time to gauge gravity of the situation and to suggest corrective measures to authorities to safeguard life and interests of the people. In this context, on 25th June 2008, then United Nations High Commissioner for Human Rights Louise Arbour, had visited Pakistan for three days to meet top government officials, members of civil society and other interlocutors to discuss a various human rights issues and advised the authorities to stop human rights violations across Balochistan and elsewhere in Pakistan (OHCHR, 2008). The provincial government of Balochistan also, recently on 17th August 2022, appointed a commission for enforced disappeared and missing persons in Balochistan. The commission will be headed by the provincial home minister of Balochistan and include two members of provincial assembly, one from the ruling government party, yet another from the opposition party. The commission is supposed to report and submit its findings to chief minister of Balochistan as early as possible. This is the result of the protest by the families of the victims and Baloch activists who have been protesting in front of the Governor’s House in Quetta for over three weeks (The Balochistan Post, 2022).

7. Role of Local Organizations and World Societies

In the times of conflicts and war-like situations or a cold war in any region or country, many inhumane acts do take place. That increases woes of the people located in those areas tremendously. In such times of suppression or aggression, in the first place, local organizations can play a big role voluntarily. Next are world organizations, mostly located far away from the scene of such acts of atrocities, as such, might take considerable time to play their roles as a mediator or as a peace maker. Extending immediate help at the point and place of dispute is one thing, which can be offered and monitored by locals and local organizations whereas helping to solve the conflict and crisis of the aggrieved as a long-term solution, remains another matter which world societies and world organizations can take up at a later stage. There are local organizations viz. VBMP, HRCB, HRCP and COIED in

the state of Pakistan. OHCHR is an entity of United Nations and operates with headquarters in United States of America in the field of human rights world over.

7.1. Voice for Baloch Missing Persons (VBMP)

Voice for Baloch Missing Persons (VBMP) was founded by veteran activists Nasrullah Baloch and Mama Qadeer in 2009. VBMP is a non-governmental organization which represents family members of people who have been subject to enforced disappearance in Pakistan's province of Balochistan. VBMP records data on enforced disappearances, releases press statements, organizes protests, rallies, and hunger strike camps and facilitates the submission of first information reports and cases to Pakistani police stations and courts. VBMP Chairperson is Nasrullah Baloch and its Vice Chairperson is Mama Qadeer. (Hashim, 2014).

The present role played by VBMP is undisputable. Yet, a sit-in campaign which is in its 11th year from starting and on rotating hunger strike on daily basis by family members of the enforced disappeared people and sympathizer activists is not getting required response or desired results. In fact, federal government of Pakistan has proposed a bill in parliament to restrain such campaign which might need permission from local authorities to campaign. Giving cognizance and passing of such bill in parliament, it is believed, is nothing but a direct encroachment to fundamental right of free speech by the people (Human Rights Watch, 2022).

VBMP needs to expand its wings by mobilizing youth to voice its demand for authorities to trace the victims, declare their whereabouts, provide medical and legal help and ensure safe return of the missing persons. Right to free voice and peaceful campaign must never be curtailed. While sitting on campaign women must be encouraged to do some handicraft work to mobilize funding of ongoing campaign for over 4675 days.

7.2. Human Rights Council of Balochistan (HRCB)

Human Rights Council of Balochistan (Hakpaan) is a non-profit and non-partisan human rights group based in Balochistan, Sweden, UK and France. It collects reports from Balochistan by its own sources through its network of volunteers and supporters. Pakistan government does not allow any media and HR group to visit Pakistan or Balochistan or to report about any of the atrocities and human rights violations. HRCB who is active in the region follows the various foul and inhumane acts of authorities, security forces and intelligence agencies and publishes online reports from undisclosed locations. HRCB also assists families of the victims to complain and file FIRs against human rights violations to the relevant authorities (Human Rights Council of Balochistan, n.d.). HRCB is playing its role at its full capacity. HRCB and its volunteers strive hard to collect desired information as early as possible and circulate among allies for their necessary perusal.

7.3. Human Rights Commission of Pakistan (HRCP)

Established in 1986 and registered in 1987, the Human Rights Commission of Pakistan (HRCP) is an apex independent human rights body of Pakistan and is a non-political, not-for-profit organization actively engaged in protecting human rights in varied fields of civil life as well as in protecting one's political, economic, social and cultural rights. HRCP does not distinguish citizenship or nationality of an individual but equally protects rights of all persons present in the country. The Constitution of Pakistan guarantees certain fundamental freedoms and rights which HRCP uses for protection of people's rights and advocates charter of international human rights instruments for which Pakistan is a member nation (HRCP, n.d.). HRCP too is playing its role without disparity amongst all people whether of any nationality and presently residing anywhere in Pakistan including any part of Balochistan.

7.4. Commission of Inquiry on Enforced Disappearances (COIED)

The Commission of Inquiry on Enforced Disappearances is formed in March 2011 to trace the whereabouts of the disappeared persons and hold the responsible accountable for this heinous crime. But, in its nine years, the

commission has failed to hold a single perpetrator accountable or address the impunity. Moreover, the families have reported harassment and misbehavior during the hearings of the Commission (HRCB report, 2022).

As per a document of Government of Pakistan regarding any allegation or complaint in respect of Enforced Disappearance etc.; “ whoever files a complaint or gives information that proves to be false he or another person has been subjected to Enforced, Forcible or Involuntary Disappearance, or an attempt has been made in this regard, he shall be guilty of an offence punishable up to five years imprisonment and fine up to Rupees One hundred thousand.” (Ahmed, n.d.). So, this guideline is broadly used by officials of COIED to dispel the person whosoever comes to give information of enforced disappearance. They are so intimidated that there would never be found any evidence or witness against guilty authorities and the complainant might be proved false, punishable up to five years imprisonment. The offence thus goes unreported and correct number of enforced disappearances can never be enumerated.

Meanwhile, according to HRCP, serious allegations were levelled by a woman Tayyaba Gul who had approached Justice Iqbal, COIED chairman, in connection with a missing relative. Public Accounts Committee (PAC) of the National Assembly was stunned by the testimony of Tayyaba, who disclosed under oath that she was treated inhumanely and even strip-searched by officials of the accountability bureau.

7.5. The Office of the High Commissioner for Human Rights (OHCHR)

The Office of the High Commissioner for Human Rights is one of the leading entities of United Nations for Human Rights issues across the world. It has a unique mandate for promotion and protection of Human Rights of all the people. OHCHR has the authority to deploy United Nation’s peacekeeping forces in Balochistan to curb such serious human rights violations in Balochistan and other areas of Pakistan (OHCHR,- Homepage, n.d.).

8. Conclusion

Enforced Disappearances which has gripped Balochistan as a pandemic do not look to be eradicated soon. So is the virus, of seeking freedom, running in the blood of Baloch fraternity looks to recede or to gets cured. The inhumane act of disappearances coupled with extra judicial killings is, outright an act of human rights violation in Balochistan. Without barriers, it has now reached to Khyber Pashtuns and Sindh. They too are now emerging revolutionary against the state and the government authorities. The paper has projected such treatment by way of enforced disappearances meted by security forces and authorities to Baloch people as a major human rights issue in Balochistan and a need to pay greater attention by local bodies and world organizations to pressurize the government of Pakistan to implement immediate corrective measures.

In this context, Preamble message from the Commission of inquiry on enforced disappearances which was constituted by the Ministry of Interior, Government of Pakistan on the Supreme Court’s directions in March 2011, stands highly relevant. The commission had recommended that all the stakeholders including Ministries of Interior, Defense, Law & Human Rights in the Federal Government, all Provincial Governments, Armed Forces – ISI, MI and Frontier Corps) should sit together and evolve a comprehensive mechanism to eliminate the menace of enforced disappearance (About Us – COMMISSION OF INQUIRY ON ENFORCED DISAPPEARANCES, n.d.). On the face of it, this preamble message and recommendation looks highly impressive that how concerned government is, how sincere officials heading such commission would be and how helping the entire mechanism might be!! But coming to facts in real sense and practice, the officials proved themselves of the dubious character. In long standing of ten years as of now, not a single perpetrator has been brought to book of law. But opposite to this, the chairperson of the commission himself was captured recently in abuse of power and sexual assault, where modesty of the woman, who was following the case of her enforced displaced relative, was put at risk. Reports said, she was strip searched just to have an audience before the high-ranking chairperson of the commission to follow up her relative’s disappearance case. It is another matter, the chairperson in question has recently been summarily dismissed by government of Pakistan. When such corrupt and dishonest people supposed to be defender of human rights in Pakistan do exist, how one can expect justice or return of disappeared people back to their homes.

The situation of enforced disappearances and human rights violations are beyond control in Balochistan. Unless and until some other strong country jumps into the fray for the rescue of Balochis and help the conflicting entities to reach a political solution and peaceful resolution, no improvement in the situation can be foreseen in Balochistan. To come out of this rotten situation prevailing for almost seven decades, Balochistan needs an external military help from outside, to confront the local forces inflicting atrocities and violating human rights. World has seen many governments coming tumbling down when any major world power has interrupted and many heads of countries either fleeing and taking asylum or getting captured, punished or eliminated. Pakistan should have by this time learn lesson from the past.

United Nations must think of posting their peace keeping force in Balochistan to keep watch and act against perpetrators. Countries and agencies providing financial and other military aids to Pakistan, must go for sanctions. In place of utilizing aids received from abroad for welfare of the people, Pakistan is using it against the people. Pakistan needs stern warning from the world and United Nations, lest Pakistan corrects its ways, it might face world's ire and United Nations jointly with some world power would not hesitate to initiate action under international laws to declare Pakistan as a war criminal against the society. Pakistan should mend its ways and eliminate the policy of enforced disappearances which is arbitrary and highly discriminatory in nature and in violations of human rights in Balochistan

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