



General Assembly

Distr.: General
23 May 2011

English only

Human Rights Council

Seventeenth session

Agenda item 3

**Promotion and protection of all human rights, civil,
political, economic, social and cultural rights,
including the right to development**

Written statement* submitted by the Asian Legal Resource Centre (ALRC), a non-governmental organization in general consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[16 May 2011]

* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

Pakistan: Extra-judicial killings ongoing with impunity, notably in Balochistan

1. The Asian Legal Resource Centre (ALRC) wishes to bring to the attention of the Human Rights Council grave concerns related to the numerous allegations of extra-judicial killings that it has received in the last 12 months, notably from the province of Balochistan in Pakistan. Extra-judicial killings are typically the end-point of a string of human rights abuses that include abduction or arbitrary arrest, forced disappearance and torture. Disappeared persons' bodies are often dumped on the roadside, riddled with bullets. This pattern of abuse has reportedly become a routine method used by Pakistan's intelligence agencies. In the past eight months, over 120 persons are thought to have been killed extra-judicially following abduction and disappearance by the State. The ALRC estimates that thousands of people are reported to have been subjected to enforced disappearance in recent years, in particular in resource-rich Balochistan.

2. In Balochistan, journalists, teachers, political activists, students and human rights defenders are being targeted in particular. The ALRC and its sister-organisation, the Asian Human Rights Commission, continue to document a high number of cases. According to cases documented, during the first four months of 2011, as many as 25 journalists, writers, human rights defenders, students, and political activists have been killed extra-judicially.¹ 24 of the victims were arrested or abducted, disappeared and then killed. For example, prominent human rights defender and journalist, Mr. Siddique Eido and his friend, Mr. Yousaf Nazar Baloch, were allegedly arrested by the Frontier Corp and police on December 21, 2010. Their mutilated bodies were found on April 28 having been dumped next to the Makran coastal highway near Ormara, Balochistan province. The other victim, human rights defender Mr. Naeem Sabir Baloch, the district coordinator of Human Right Commission of Pakistan, was killed outside his house by unknown persons. He was working to compile a list of victims of forced disappearance, intended for the Supreme Court of Pakistan and High Court of Balochistan.

3. Furthermore, on May 13, 2011, the AHRC announced that the bodies of five disappeared persons, including a prominent leader of the Baloch Student Organization, were found in different locations in Balochistan.² All bore signs of torture and bullet wounds. Their families claim they had been abducted by members of the law enforcement agencies, with three of them having been disappeared since August 2010. On March 28, 2011, the AHRC announced that another five disappeared people's bodies had been found, bearing torture marks and bullet wounds. They had reportedly been abducted by uniformed and plain-clothed persons believed to be from the intelligence services.³ On March 16, 2011, the AHRC announced that the bodies of another four victims of extra-judicial killings had been found in different parts of Balochistan. They had reportedly been abducted and disappeared by the Frontier Corps before being tortured and killed. The list goes on and on.

4. In Balochistan there is a strong movement for autonomy by its people, who want their share of the province's natural resources. They also want a say in local governance, which is being blocked by Pakistan's government. The Pakistan Army has conducted five major military operations between 1959 and 2008, in order to exert its control over the province, and has established cantonments and use of aerial bombardments to this end. In 2008 the civilian government called off the latest large-scale army operations in the

¹ <http://www.humanrights.asia/news/ahrc-news/AHRC-STM-057-2011>

² <http://www.humanrights.asia/news/urgent-appeals/AHRC-UAC-094-2011>

³ <http://www.humanrights.asia/news/urgent-appeals/AHRC-UAC-069-2011>

province, which had begun in 2005, but handed over the responsibility for law and order to the Frontier Corps (FC), a paramilitary organization. This effectively made the police subordinate to the FC, which has the support and assistance of the army. This results in insurmountable obstacles to those seeking to know the truth about the fate of their disappeared loved ones and for any hope of effective investigations and prosecutions, even when persons are found dead, showing clear marks of torture and evidence of extra-judicial execution.

5. The problem does not remain confined to Balochistan. Balochi activists are being targeted outside of the province itself. For example, on February 23, 2011, the bodies of two Balochi activists that had been abducted in Karachi, the capital of Sindh province, were found at Hadh Cross, Ormara town, Gwader district, Balochistan. The bodies bore bullet and marks of torture. They were identified as Mr. Mehboob Wadhela, a senior member of the Baloch National Movement (BNM), and Mr. Arif Rehman, an activist of the Baloch Republican Party (BRP), who had been missing for eleven and five months respectively, after having been abducted. Witnesses claim they had been abducted by persons who had identified themselves to onlookers as being from the State security agencies. The bodies were dumped, side by side, some 500 kilometres from where they had been abducted.

6. Despite the problem of extra-judicial killings linked to Balochistan being a major concern, it must be noted that such killings are also witnessed elsewhere, throughout Pakistan. As is the case in a number of other South Asian countries, the pretext of an “encounter killing” is typically used by law enforcement or security forces to justify extra-judicial killings. One horrific example amongst many is the alleged reprisal killing by the police of a lawyer and human rights defender’s son, which shows the significant obstacles that are faced by those who wish to seek redress concerning the killing of their loved ones in Pakistan.⁴

7. It is alleged that the local police and persons involved in land-grabbing had a score to settle with the lawyer, Mr. Muhammad Yousuf Butt, for his work against land-grabbing and his social work. Mr. Butt was an activist during the lawyer's movement for the restoration of the Chief Justice Iftekhar Choudhry, when he was suspended by the then-military ruler, General Musharraf. On December 28, 2010, in Manzoor colony, Jamshed quarters town, Karachi, Sindh province, Mr. Butt’s son, Mr. Muhammad Ali Butt, who is a constable in the reserve police, was taken away by six policemen and five men in plain clothes. Assistant Sub Inspector (ASI) Faisal Jaffery, stated that he was required at the police station, and told his father to come to Firozabad police station. However, when they went to the police station they were turned away. When the father returned the next day, he was told that his son had been killed the previous night in a police encounter. His body had six bullet wounds to the torso and many torture marks.

8. Mr. Butt contacted the Baloch colony police station, in whose jurisdiction police encounter reportedly occurred, but the police refused to record an First Information Report (FIR). He also tried to lodge an FIR at Firozabad police station against the police officials who abducted his son, but was reportedly threatened with also becoming the victim of a fake police encounter. The Deputy Superintendent of Police (DSP) of Bin Qasim town received his application for an FIR, but did not act on it. Mr. Butt then filed an application to the court of the additional and session judge, South Karachi, on January 12, 2011, for the lodging an FIR and the launching of an investigation into the killing of his son. The next day the court ordered the police to file the FIR against the accused persons. During the court proceedings, the police claimed that Mr. Butt's son died in a police encounter at Ambala Bakery, PECHs Block 6. But the post-mortem report proved the report of police to

⁴ <http://www.humanrights.asia/news/urgent-appeals/AHRC-UAC-051-2011>

be false. Baloch colony police station filed an FIR that failed to mention the 14 torture marks on his body mentioned in the post-mortem report. The court also ordered an enquiry to be conducted by an officer of at least the rank of Senior Superintendent of Police. The provincial Minister of Interior Affairs, Dr. Zulfiqar Mirza, had also ordered an inquiry of the case on December 31, 2010. However, no investigation has been launched, no-one has been arrested, and the victim's family-members have instead been subjected to death threats. The police have completely ignored government officials and court orders, and impunity prevails.

9. Despite the scale of the problem of extra-judicial killings in Pakistan, and despite the fact that the country now has a civilian government, since the ouster of President General Pervez Musharraf, the authorities have not taken any meaningful steps to address this grave problem. Many of the disappeared and subsequently killed persons were arrested in the presence of the police. In most cases, when complaints concerning these persons' disappearance are made by relatives of human rights defenders, the police refuse to lodge an FIR, because of the involvement of state intelligence agencies and their collusion with or subservience to this powerful entity in Pakistan, which appears to operate above the law and with total impunity for even the gravest rights abuses.

10. During the period in which thousands have reportedly been subject to forced disappearance and hundreds are known to have been tortured and executed extra-judicially, Pakistan has been a member of the Human Rights Council. All this time, the situation in the country has hardly featured in discussions held by the Council, despite clearly being one of the flashpoints of insecurity and human rights violations in the region and the world.

11. The Asian Legal Resource Centre therefore calls on all Council members to give particular attention to the situation in Pakistan, notably that in Balochistan. The world can clearly no longer turn a blind eye to the human rights situation in Pakistan. Questions remain as to whether the Human Rights Council is able to address human rights situations on merit. The continuing failure to tackle the many grave and widespread human rights problems in Pakistan will go some way to answering those questions negatively.

12. The Asian Legal Resource Centre takes this opportunity to urge the government of Pakistan to take immediate steps to put a halt to the repeated use of the process of abduction or arbitrary arrest, forced disappearance, torture and extra-judicial killings that are being reported in relation to Balochistan. The government must also ensure that the use of fake encounter killings is halted. The most effective way to do these things is to ensure the effective investigation of all allegations of extra-judicial killings. Any persons allegedly responsible for such grave human rights abuses must be brought before a civilian court and given a trial in line with international standards. Witness protection and adequate reparation must be guaranteed. In order to show to the world that Pakistan is willing to address extra-judicial killings effectively, it must without fail or delay issue a standing invitation to the Special Rapporteur on extra-judicial, summary or arbitrary executions.
