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Pakistan must account for missing victims of enforced disappearance

Pakistan must reveal the fate of hundreds of disappeared believed abducted and held by security agencies and end all secret detention, Amnesty International said after the authorities again failed to bring two missing persons in front of the Supreme Court.

Under persistent judicial pressure, police last week produced four men deemed disappeared and the Supreme Court ordered they be charged or released. But two others have not been presented despite orders from the top court.

“This year Pakistan’s courts have gained unprecedented access to individuals secretly detained by the country’s security authorities demonstrating the importance of a robust and genuinely independent justice system,” said Catherine Baber, Deputy-Direct for the Asia-Pacific at Amnesty International.

“If court orders can bring these disappeared people to light in a matter of days or weeks, the question remains – how many more are being held in intolerable conditions in secret detention centres across Pakistan?”

In February, seven men were brought before the Supreme Court in Islamabad looking severely emaciated, some with urine bags protruding from their trousers. After the brief appearance in court they were taken away and remain missing.

Last year Amnesty International highlighted the case of one of these seven men, 29 year-old Mazar ul Haq who originally disappeared in November 2007.

“Against all expectations, ul Haq and six other men appeared in court after more than four years in which their families did not know if they were alive or dead” said Baber.

Along with 10 others – known as “the Adiala 11” – ul Haq was picked up in 2007 and later accused of being involved in attacks on the Army Headquarters and a camp run by Pakistan’s Inter-Services Intelligence Agency (ISI).

Although all eleven were cleared by an Anti-Terrorism Court, they again went missing, allegedly abducted by intelligence agencies.

Since last year, four of the Adiala 11 have died in custody in Peshawar, some 180 kilometres from where they were abducted in 2010.

Lawyers for Pakistan’s intelligence agencies maintain the men died of natural causes, but legal counsel for Muhammad Aamir, one of the deceased, alleges he was tortured to death in detention.

On Wednesday 11 April, the Supreme Court ordered the ISI, Military Intelligence and the federal and Khyber Pakhtunkhwa governments to explain the poor conditions in which the surviving seven Adiala prisoners are being kept.

“These seven men are but some of the hundreds kept in internment centres in Pakistan’s north-west alone, most as a result of military operations against the Taleban insurgency there,” said Baber.

“The families of these and other missing persons are waiting anxiously for Pakistani authorities to reveal the whereabouts of loved ones who have been missing for weeks, months, or even years.”

Under public pressure and on the orders of the Supreme Court the government established the Commission of Inquiry on Enforced Disappearances in May 2010. Yet new enforced disappearances continue to be reported every week.

"The Commission urgently needs the resources, powers and political support to investigate all cases vigorously, ensure released victims, witnesses and Commission members are adequately protected, and ensure that no security forces, intelligence agencies, or high officials are immune from its investigations," said Baber.

“We recognize that Pakistan is facing multiple security challenges, and many of those held in secret detention may pose a threat to the society. Where these individuals are suspected of a criminal offence, they must be promptly brought to justice in trials consistent with international standards of fairness.

“Authorities must also thoroughly investigate all credible cases of unlawful detention, including alleged abductions implicating high officials in Balochistan province and any other part of the country.

“The ongoing crisis will not end until all disappeared persons are accounted for and properly protected by the law again and all perpetrators are brought to justice regardless of their affiliations, rank, or status.”

Enforced disappearance is a crime under international law and a multiple violation of human rights.

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[Pakistan urged to end enforced disappearances, 30 August 2011](#) (press release)

[The bitterest of agonies: End enforced disappearances in Pakistan, 20 August 2011](#) (report)