

PUBLIC

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UA 199/06 Possible 'disappearance'/fear of torture

PAKISTAN **Obaidullah Ali Baloch (m), aged 26**
Samiullah Baloch (m), aged 24, his brother

Brothers Obaidullah and Samiullah Baloch were arrested by unidentified men on 16 July 2006 in the Askari area of Quetta, Balochistan province. They have not been seen since then. They may have 'disappeared' and are at risk of torture.

In the afternoon of 16 July the two brothers were returning in a car from Quetta airport, where they are working on a government-funded construction project. When they noticed two jeeps following them, they sought protection from military and civil police at a checkpoint. However, the police refused to protect them. The brothers were forced to stop their vehicle, and the unidentified men, thought to be intelligence agents, arrested Obaidullah and Samiullah Baloch and forced them to get into separate jeeps. They were then driven away in the direction of a nearby military headquarters.

The family of Obaidullah and Samiullah Baloch believe that they were arrested in connection with the activities of their elder brother Sanaullah Baloch, who is a Senator and information secretary of the Balochistan National Party. He has recently been visiting other countries and discussing human rights violations in Balochistan. Neither Obaidullah nor Samiullah Baloch is involved in politics; nor had they previously been threatened.

The family are preparing to file a *habeas corpus* petition in the Quetta Court challenging the lawfulness of their arrest and seeking to establish their whereabouts. Senator Sanaullah Baloch described the arrest as "political victimisation" of innocent people, saying, "If the government has to settle political scores with me, I should be taken in, not my innocent brothers who have no link to my political struggle."

BACKGROUND INFORMATION

A report issued by the non-governmental organization, the Human Rights Commission of Pakistan (HRCP) in late January 2006 found scores of cases of arbitrary arrests and detention, torture, extrajudicial executions, "disappearances" and use of excessive force by security and intelligence forces committed in Balochistan since early 2005. The findings of the HRCP fact-finding mission corroborate a large number of reports received by Amnesty International from Baloch activists and civil society organisations since early 2005. Amnesty International has issued several urgent actions expressing its concern about arbitrary arrests and "disappearances" of political activists. According to a January 2006 statement by Senator Sanaullah Baloch, at least 180 people have died in bombings, 122 children have been killed by paramilitary troops and hundreds of people have been arrested since the beginning of the campaign in early 2005. On 8 December 2005, the federal Interior Minister stated that some 4,000 people had been arrested in Balochistan since the beginning of 2005. The identities, whereabouts of and charges against many of these detainees remain unknown. Having monitored some of these cases of arrest, detention and "disappearance", Amnesty International believes that some of the detainees may have been arbitrarily detained. Some of those who were found, have been subsequently held under preventive detention legislation or on politically motivated criminal charges, in violation of Pakistan statutory law and international human rights standards.

A number of members of the Baloch Students Organisation (a group which campaigns on behalf of the people of Balochistan) who had previously 'disappeared' were recently released from detention. They stated that they had been tortured in detention including having their feet shackled, heads covered and use of electric shocks.

RECOMMENDED ACTION: Please send appeals to arrive as quickly as possible, in English or your own language:

- expressing concern for the safety of Obaidullah and Samiullah Baloch who were reportedly arrested by intelligence personnel on 16 July 2006;
- urging the authorities to launch an immediate investigation into the whereabouts of the two brothers;
- reminding the government that incommunicado detention is a violation of an individual's fundamental rights underlined by Articles 9 & 10 of the Pakistan Constitution;
- seeking assurances that they are not being subjected to torture or ill-treatment if they are in detention;
- calling for them to be granted access to their families, lawyers, and any medical attention they may require;
- calling for them to be released if they are in custody, unless they are charged with a recognizably criminal offence, in which case they must be given a fair and prompt trial.

APPEALS TO:

(Please note that email addresses in Pakistan can be unreliable. If you receive notification that your message has not been delivered, please re-send your email. If it fails again, please use fax numbers or postal addresses to send your appeal.)

President Pervez Musharraf
Pakistan Secretariat
Islamabad, Pakistan

Fax: + 92 51 9221422
E-mail: CE@pak.gov.pk
Salutation: Dear President

Mr. Muhammad Wasi Zafar
Minister of Law, Justice and Human Rights
S Block, Pak. Sectt. Islamabad, Pakistan

Fax: + 92 51 9202628
E-Mail: minister@molaw.gov.pk
Salutation: Dear Minister

Governor of Balochistan
Awais Ghani
Governor House
Quetta, Balochistan, Pakistan

Fax: + 92 81 920 2178 / 2992
Salutation: Dear Governor

COPIES TO: diplomatic representatives of Pakistan accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 31 August 2006.