

# PAKISTAN

## The “disappearance” of the Ansari family

On 1 May 1996, Zamir Hasan Ansari, a retired section officer of the Pakistan ministry of foreign affairs, reportedly “disappeared” from his home in Islamabad, along with his wife Feroza Khanom and their two grown-up children, Riffat Anjum and Anjum Kamal. Their whereabouts since that time remain unknown. Available evidence suggests that the family may have been detained by Pakistan’s military intelligence agency, the Inter Services Intelligence (ISI). However, their detention has not been officially acknowledged. The reasons for their detention are not known, but relatives believe that it may be linked to Zamir Hasan Ansari’s previous association with India - he was stationed in New Delhi between 1985 and 1990 whilst working for the Pakistan foreign service - which possibly aroused suspicion<sup>1</sup>.

The four family members apparently went missing from their home between 2:30 and 5:00pm on 1 May. A friend had spoken to them on the telephone at 2:30, but there was no reply to a caller who telephoned at 5:00pm. The family were expected at a dinner engagement that evening but did not arrive. Subsequent inquiries revealed that they had not informed relatives, friends or neighbours about any intention to leave the city that day.

On 8 May, police and concerned relatives entered the family’s house and found it empty with almost everything intact. No locks had been broken and there were no visible signs of a struggle. It appeared as though the family had been disturbed in the middle of a meal as there were remains of food on the table. Although some expensive items such as a video recorder were missing, money and jewellery which were openly displayed had not been taken.

Tariq Hasan, the second son of Zamir Hasan Ansari who had been living in the United States when his family “disappeared”, returned to Pakistan to look for them. He received unofficial acknowledgement from several people in positions of authority that the family was in the custody of the ISI. On 7 June he filed a First Information Report with the police claiming that his family had been abducted. He also filed a *habeas corpus* petition in the Lahore High Court in which he named the police and ISI as respondents. However, despite ten hearings of the petition the fate or whereabouts of the Ansari family have not been

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<sup>1</sup>Diplomatic relations between Pakistan and India have been strained since Partition in 1947, when India gained independence from Great Britain and Pakistan was created. The two countries have fought three wars, two of which have been over the disputed territory of Jammu and Kashmir. More recently, Pakistan has accused India of trying to destabilise Pakistan and of being behind the recent violence in Karachi and a series of bomb explosions in several towns and cities in the country during the past year. People in Pakistan with alleged links to India may be looked on with suspicion by the authorities.

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established. All the respondents named in the *habeas corpus* petition denied any knowledge of the family's whereabouts and the police who were ordered to investigate the case reported no progress in their investigations. The latest hearing in the petition was in September 1996. No date was set for a further hearing. The court apparently requested the investigating police officer to inform the court once the family had been located so that the petition could be taken up again.

Following Tariq Hasan's efforts to publicise the "disappearance" of his family and to put pressure on the authorities to reveal their fate or whereabouts, he received threats from a number of officials that his own life and that of his family could be at risk because of the action he had taken. He was told to keep a low profile. One police officer reportedly told Tariq Hasan that it was a mistake to bring the case to the attention of Amnesty International which could do nothing more than send appeals, and that Tariq Hasan would eventually be left on his own but in a worse situation than before.

Amnesty International has repeatedly expressed concern to the Government of Pakistan about the reported "disappearance" of the Ansari family and has appealed to the authorities on numerous occasions to make known the family's whereabouts as a matter of urgency should they be detained by any agency of the state. The Human Rights Ministry of Pakistan responded to Amnesty International on 3 November saying that the "disappearance" of the Ansari family was a matter of grave concern to the Government of Pakistan. The Ministry reported making enquiries about the whereabouts of the family with the different security agencies in Pakistan, but without any success. The letter said the security agencies have been directed "to step up their efforts to locate the missing family".

A "disappearance" by definition involves a denial by the state that a person who has been taken into custody is being held. This denial, which sometimes comes in the face of quite compelling evidence to the contrary, may be in the form of a public statement, a reply to inquiries by the victim's relatives, or a response to a judicial procedure such as *habeas corpus* which has been invoked in an effort to find the victim and ensure his or her safety. "Disappeared" people are often at risk of torture and extrajudicial execution. The victim may be arrested or abducted, tortured for such purposes as obtaining information, and then killed. A "disappearance" is an act of extreme cruelty which violates international human rights standards and, more often than not, the laws of the country where it is perpetrated.

Article 9 of the Constitution of Pakistan provides that: "No person shall be deprived of life or liberty save in accordance with law." Article 1 of the Declaration on the Protection of All Persons from Enforced Disappearance adopted by the UN General Assembly in December 1992 states:

"1. Any act of enforced disappearance is an offence to human dignity. It is condemned as a denial of the purpose of the Charter of the United Nations and as a grave and

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flagrant violation of the human rights and fundamental freedoms proclaimed in the Universal Declaration of Human Rights and reaffirmed and developed in international standards in this field.

2. Such act of enforced disappearance places the persons subjected thereto outside the protection of the law and inflicts severe suffering on them and their families. It constitutes a violation of the rules of international law guaranteeing, *inter alia* the right to recognition of a person before the law, the right to liberty and security of the person and the right not to be subjected to torture and other cruel, inhuman or degrading treatment or punishment. It also violates or constitutes a grave threat to the right to life.”

Amnesty International has previously documented cases of “disappearances” in Pakistan. In November 1991, customs inspector Allah Rakhio “disappeared” in the custody of the paramilitary Rangers in Hyderabad, Sindh. He was arrested on 18 November for unknown reasons. Following his arrest his family approached the authorities several times to try to establish his whereabouts but received contradictory answers. While on 18 November the army denied having detained him, it said on the following day that it had detained him for questioning and that he would be released within two to three hours. On 20 November the army reportedly claimed that Allah Rakhio had been released at midnight on 19 November. Later on 20 November, the army again changed its story, telling Allah Rakhio’s brother that the release had taken place on 19 November at noon. Allah Rakhio has not returned home to his family and there are no witnesses to his release.

Shaukat Ali Kashmiri, Secretary General of the Jammu and Kashmir People’s National Party, “disappeared” for a month in August 1994 after being taken into the custody of the ISI. The authorities initially failed to account for his whereabouts or to acknowledge his detention. The local police and the Federal Investigation Authority denied holding Mr Kashmiri in their custody. He was eventually released from an army detention centre at Attock Fort in September 1994.

In October 1996, a man was traced in police custody after being held in unacknowledged detention for over a year. Syed Gauhar Anis was reportedly arrested in June 1995. However, the police and paramilitary Rangers persistently denied that he was in custody. This denial was repeated in court when relatives filed a *habeas corpus* petition. Eventually, after relatives appealed to the Chief of the Army Staff, a paramilitary Rangers officer informed the family that Syed Gauhar Anis was in police custody.

Over the past few years hundreds of political prisoners have been detained in Pakistan without any acknowledgement in official records, held in unauthorised places of detention and denied communication with lawyers, family and medical staff. Prisoners have sometimes been held for weeks or months in undeclared detention by paramilitary forces before being

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transferred to custody of the regular police, when their detention has then been acknowledged. In other cases prisoners have been moved from one place of detention to another without relatives or lawyers being informed. In none of the cases known to Amnesty International have legal safeguards relating to arrest and detention as laid down in Pakistan law been observed. It is in this context that “disappearances” occur.

### **Appeal to the new government of Pakistan**

Following the dismissal of Benazir Bhutto’s government on 5 November, a new interim administration was installed pending general elections scheduled for February 1997. Among the reasons cited by President Farooq Leghari for dismissing the former government was that no meaningful steps had been taken to put an end to the crime of extrajudicial killings which had deprived thousands of the right to life in Pakistan. The former government was also accused of permitting corruption, nepotism and a violation of rules to become so extensive that the orderly functioning of the government in accordance with the provisions of the constitution and law was prevented.

Amnesty International has called on the caretaker government to take prompt and effective measures to provide redress for past human rights violations and to further ensure that existing constitutional and legal safeguards protecting human rights are adhered to and strengthened so that no further human rights violations are committed.

With respect to the Ansari family, Amnesty International appeals to the new government to take all possible measures to establish the whereabouts of this family if detained by any agency of the state. None of the family members should remain in detention unless they are charged with a recognisably criminal offence. If they cannot be charged under the law, they should be immediately and unconditionally released. In case there are charges against them, they should be granted all the legal safeguards available under Pakistan law, including the right of prompt and regular access to a lawyer and family members. The government should also ensure that if these people are detained they are not subjected to torture or ill-treatment whilst in detention.

Please send letters in English or your own language:

- expressing concern for the safety of the Ansari family who “disappeared” from their home on 1 May 1996;
- calling on the authorities to reveal the whereabouts of the family as a matter of urgency;
- seeking assurances that whilst in detention they will not be subjected to torture or ill-treatment;
- urging that they be immediately and unconditionally released unless charged with a recognisably criminal offence, in which case they be given prompt access to a lawyer and relatives.

Please send appeals to:

Prime Minister Meraj Khalid

Caretaker Administration  
Office of the Prime Minister  
Islamabad  
Pakistan

Salutation: Dear Prime Minister

General Jehangir Karamat

Chief of Army Staff  
General Headquarters  
Rawalpindi

Pakistan

Salutation: Dear General

President Farooq Leghari

Office of the President  
Murree Brewery Road  
Rawalpindi  
Pakistan

Salutation: Dear President

Fakhruddin Ebrahim

Minister of Justice  
Caretaker Administration  
Ministry of Justice

Pak Secretariat

Islamabad

Pakistan

Salutation: Dear Minister

**KEYWORDS:** DISAPPEARANCES / UNACKNOWLEDGED DETENTION / OPPOSITION  
POLITICIANS / FAMILIES / POLITICAL PRISONERS / POLICE / PARAMILITARIES / FORMER  
GOVERNMENT / AI AND GOVERNMENTS / ADDRESSES / PHOTOGRAPHS /

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