



## **Submission to the Office of the High Commissioner for Human Rights**

### **Universal Periodic Review 42<sup>nd</sup> Session: The Islamic Republic of Pakistan**

#### **About US**

***Human Rights Council of Balochistan (Hakppaan)*** is a non-profit and non-partisan human rights group consisting of human rights activists from Balochistan, Pakistan. Many of its members live in Balochistan who send the reports and confirms them on the ground, while most of its members live in exile, who organize these reports and present them to the international human rights mechanisms. HRCB is registered in Sweden and has been reporting to many human rights groups and mechanisms since 2016.

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#### **Annexes:**

- Annex no. 01. FIR against human rights campaigners
- Annex no. 02. Enforced Disappearance- Jan 2018- March 2022
- Annex no. 03. Extra judicial executions- Jan 2018- March 2022
- Annex no. 04. Fake cases against disappeared persons
- Annex no. 05. CTD's fake encounters
- Annex no. 06. Children and youths targeted by forces
- Annex no. 07. Torture victims- Jan 2018- March 2022
- Annex no. 08. Rashid Hussain
- Annex no. 09. Military turned educational institutions into camps
- Annex no. 10. Profiling of Baloch students in other provinces of Pakistan

#### **Summary**

This report will focus Pakistan's commitments during the state's previous UPR in 2017 and provides detailed evidence, where the state has violated the conventions as well as its own commitments

In particular, this report will focus on Pakistan's commitments and subsequent conduct since 2017 with regards to issue of enforced disappearances, extrajudicial killings, counter-terrorism protections for the child, justice for victims of torture, the administration of justice and the right to a free and fair trial, the right to adequate standards of living, including health, education and social & economic rights, and the efficiency of national human rights mechanisms and judicial reforms.

This report finds that Pakistan has failed on multiple fronts to ensure compliance with its 2017 UPR commitments and overall observance of international fundamental rights obligations.

## Report

1. Pakistan has supported the resolutions 152.131 and 152.132, regarding Enforced Disappearances and Extra Judicial Killings.
2. Instead of criminalizing enforced disappearance by legislation, the government introduced a bill that anyone who complained of cases of enforced disappearances against a national institution, i.e., military, the applicant would be jailed and fined, if he or she could not prove it. The bill has not yet passed, but implementation of this additional clause is practiced throughout Balochistan. The state has filed cases of treason against those voicing against enforced disappearances (*Annex no. 01*).

**Recommendation:** All the cases on human rights defenders should be withdrawn and enforced disappearance should be criminalized.

3. Instead of putting an end to enforced disappearances, the state's military continued its same pace as the previous few years. We have received 2,725 incidents of enforced disappearances (*See Annex no.2*) and 973 cases of extrajudicial execution during January 2018 and March 2022 (*See Annex no.3*).

**Recommendation:** All the disappeared persons should be produced in court of law, if there are any allegations against them, or released. The families of missing persons should be provided with food and other necessities, as in most cases the disappeared person is the only bread-earner of the family. The state should apologize to the families of those extra judicially killed by state forces, perpetrators should be brought to justice and the victims' families must be compensated.

4. Instead of investigating the cases of enforced disappearances and bringing the perpetrators to justice, the state institutions booked already disappeared persons into fake cases while shifting them to police custody. (*See Annex no.4*)

**Recommendation:** All fake cases against disappeared persons must be withdrawn immediately and the victims should be given the right to fair and free trial.

5. The police's Counter Terrorism Department (CTD) has killed many persons that were forcibly disappeared (*See Annex no. 5*)

**Recommendation:** The state must apologize to the families of the victims, and the perpetrators must be brought to justice and the families compensated.

**Recommendation:** The Commission on Enforced Disappearances should have an independent body, consisting of independent human rights defenders and experts. Performance of the commission should be checked by civil society organizations and the UNWGEID.

6. Pakistan has supported resolution 152.101 to protect children during counter terrorism operations.
7. Many children were killed by police and personnel of paramilitary forces during raids and shelling. Many children were abducted and forcibly disappeared as a policy of collective punishment to the political activists and members of armed nationalist groups in the region (*See Annex no.6*).

**Recommendation:** The state must apologize to the families whose children were victimized during these operations. Forces must avoid victimizing the children; all the perpetrators of these cases must be brought to justice.

8. Pakistan has supported resolution 152.134 to bring the perpetrators of torture to justice.
9. State forces have abducted, disappeared, tortured and released 1,713 people from January 2018 to March 2022. None of the cases have been investigated by the state and no perpetrator was brought to justice (*See Annex no.7*).

**Recommendation:** The victims should be protected and compensated. The perpetrators must be investigated and brought to justice.

10. Pakistan has supported resolution 152.137 regarding administration of justice and free and fair trial.
11. Rashid Hussain of Balochistan was abducted in Dubai in December 2018. He was then deported to Pakistan. He has disappeared since then, in the custody of the military, as he was sent to a military airport in Pakistan. But, the court on the other hand declared him fugitive. While he is in custody and he has not been given the right to free and fair trial. (*See Annex no.8*)

**Recommendation:** Rashid Hussain should be produced in a court of law and be given the right to free and fair trial.

12. Pakistan supported resolution 152.197 regarding improving people's right to adequate standard of living, including health, education, social and economic growth of the people.
13. The Pakistan military has turned hundreds of public schools into military garrisons across Balochistan (*See Annex 9*).

**Recommendation:** State forces must evacuate all the schools and hospitals in Balochistan of military garrisons and the government should use them for the education of local people.

14. Balochistan's students who pursue an education and career in other provinces of Pakistan, face racial profiling, harassment, and enforced disappearance by the military (*See Annex no. 10*).

**Recommendation:** State institutions and intelligence agencies must put to an end to racial profiling of the students. All the disappeared students must be released or produced into courts of law.

