

Enforced Disappearance IN PAKISTAN

States Response to Pakistan Enforced Disappearances

- Number of countries who made recommendations:
28
- Number of Category-5 recommendations:
23
- Pakistan to ratify International Convention to Protect all persons from Enforced Disappearance and to take related measures to stop this practice including criminalizing Enforced Disappearances
- Pakistan accepts all recommendations.

Pakistan's Situation

Enforced Disappearances

- Incidents of Enforced disappearance continue to take place as before.
- The Commission of Enquiry on Enforced disappearance (ColoED) reported that 9035 cases have been submitted to it upto 2nd Nov 2022. Out of which 128 were reported in October 2022 alone.
- The same Commission, holding judicial powers, had issued 600 productions order during its existence but none of the order was complied by any governmental authority.
- Government of Pakistan continue to evade compliance on all the Court orders such as Compensation, sustenance and fines on authorities.

Way Forward

- Ratification of the International Convention and accepting the jurisdiction of the Committee on Enforced Disappearance formed under the said Convention.
- Fulfilment of promise of criminalization of Enforced Disappearance in domestic law.
- Making provision in criminal procedure code to enable investigation of security agencies which are beyond the reach of present legal system.

New Needs

- Abolish present Commission of Inquiry on Enforced Disappearance (ColoED)
- All the outstanding cases of Enforced Disappearances should be transferred to the provincial High Courts or the Supreme Court of Pakistan.
- Establish a Truth and Reconciliations Commission.

Recommendations – Enforced Disappearances

1. Ratify or accede to the UN Convention for Protection of All Persons From Enforced Disappearances
2. Make enforced disappearance a distinct and autonomous crime under domestic law with necessary provisions to make prosecution possible.
3. Implement recommendations of UN WGEID and invite the Working Group for a follow up visit.
4. Prompt and effective investigations and search activities should be carried out in order to clarify the fate and whereabouts of 799 outstanding cases submitted to UN WGEID and ensure effective remedy, especially mental rehabilitation to all the families of victims of enforced disappearance.
5. Legislate a Certificate of Disappearance in lieu of death certificate to solve matters of inheritance in the absence of the disappeared person. This legislation should also make the Government pay subsistence allowance and reparations to the victim families.

Thank you



From all the members of our coalition:

- ❑ Foundation for Fundamental Rights FFR
- ❑ AFAD
- ❑ ICAED
- ❑ FORUM ASIA
- ❑ Amnesty South Asia