



General Assembly

Distr.: General
4 March 2024

English only

Human Rights Council

Fifty-fifth session

26 February–5 April 2024

Agenda item 3

**Promotion and protection of all human rights, civil,
political, economic, social and cultural rights,
including the right to development**

Written statement* submitted by Tumuku Development and Cultural Union (TACUDU), a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[29 January 2024]

* Issued as received, in the language of submission only.



Enforced Disappearances of Pashtun Ethnic Minority in Pakistan Continue with Impunity Despite Intervention by Supreme Court of Pakistan

The persistence of enforced disappearances of Pashtun Ethnic Minority, despite interventions by Supreme Court of Pakistan is troubling and demand urgent attention of United Nations. On January 01, 2024, a three member Bench of Supreme Court Of Pakistan heard the petitioners and ordered Commission of Inquiry on Enforced Disappearances (COIED) to submit a detailed report of Missing persons in Pakistan.

It is to be noted that Pakistan's Federal Government constituted the COIED in March 2011, with a mandate, among other things, to trace the whereabouts of allegedly enforced disappeared persons and fix responsibility on individuals or organizations responsible. This Commission failed to hold even a single perpetrator of enforced disappearance responsible in its 12 years of existence. Which means that the Commission does not comply with legal and International Standards.

COIED in reply to Supreme court order, reported 10078 Cases of Enforced Disappearances in Pakistan. Out of 10078 cases presented to Supreme Court of Pakistan by Commission; 3,485 cases of Enforced disappearances were reported in Khyber Pakhtunkhwa, as compared to 2752 cases in Balochistan which means that the number of Pashtun Missing Persons is highest in Pakistan. It's really ironic and disturbing that despite being abused and violated more than any ethnic minority in Pakistan, the so-called Human Rights defenders in Pakistan like Human Rights Commission of Pakistan (HRCP) and Amna Masood Janjua, chairperson of Defense of Human Rights Pakistan never raised the issue of Enforced Disappearances of Pashtun Ethnic Minority in Pakistan.

Though, the families of the Missing Persons expect a verdict in their favor, realistic observers are skeptical that the weak and compromised Judiciary under pressure from powerful Military will be able to give justice to the victims.

However, the seriousness of Pakistan to resolve this issue can be gauged from the fact that even the Bill on Missing Persons (though controversial and lacked international standards) presented by former Minister for Human Rights Dr. Shireen Mazari went missing when sent to the office of Chairman Senate of Pakistan. Just like the Missing Persons even the Bill was disappeared by the military secret services of Pakistan. Missing for over 2 years, the Bill has to be still recovered.

Last year in 2023, an alarming increase in Enforced disappearances in former-FATA now merged with Khyber Pakhtunkhwa was recorded as 21 documented cases of Enforced Disappearances were submitted under special procedures to Working Group on Enforced and Involuntary Disappearances by IRESK. Compared to 9 in 2022, which shows that number of documented cases of Enforced Disappearances have increased two-fold in 2023. It is to be informed that the real un-documented cases are far more higher than the statistics presented here in this statement.

IRESK submitted 9 Enforced disappearances under special procedures to Working Group on Enforced and Involuntary Disappearances in the year 2022 in Khyber Pakhtunkhwa, Pakistan are as under;

1. Rahman Ullah was forcibly disappeared by Pakistani Military on February 20, 2022.
2. Habib Ullah was forcibly disappeared by Pakistani Military on February 09, 2022.
3. Muhammad Nabi was forcibly disappeared by Pakistani Military on February 03, 2022.
4. Roman Ullah was forcibly disappeared by Pakistani Military on June 15, 2022.

5. Noor Muhammad was forcibly disappeared by Pakistani Military on July 01, 2022.
6. Rehmat Ullah was forcibly disappeared by Pakistani Military on October 11, 2022.
7. Azeem Ullah was forcibly disappeared by Pakistani Military on November 09, 2022.
8. Shaukat Ullah was forcibly disappeared by Pakistani Military on September 30, 2022.
9. Muhammad Umar was forcibly disappeared by Pakistani Military on December 17, 2022.

It is really alarming to note that in 2023 the confirmed documented cases of Enforced Disappearances have increased manyfold as the number has risen to 21 submitted by IRESK under special procedures to Working Group on Enforced and Involuntary Disappearances as under;

1. Bin Yameed was forcibly disappeared by Pakistani Military on January 2, 2023.
2. Gul Rasool was forcibly disappeared by Pakistani Military on February 5, 2023.
3. Mehran Gul was forcibly disappeared by Pakistani Military on January 11, 2023.
4. Zer Ali was forcibly disappeared by Pakistani Military on February 19, 2023.
5. Bakhtar Ali was forcibly disappeared by Pakistani Military on February 24, 2023.
6. Arsal Khan was forcibly disappeared by Pakistani Military on January 20, 2023.
7. Irfan Ullah was forcibly disappeared by Pakistani Military on February 05, 2023.
8. Noor Jahan son of Sakhi Marjan was forcibly disappeared by Pakistani Military on February 17, 2023.
9. Wali Ullah was forcibly disappeared by Pakistani Military on February 18, 2023.
10. Mohammad was forcibly disappeared by Pakistani Military on March 09, 2023.
11. Muhammad Zakarya was forcibly disappeared by Pakistani Military (Frontier Corps) from North Waziristan on April 25, 2023.
12. Muhammad Khan Son of Jamakay was forcibly disappeared by Pakistani Military from Borundi check-post in North Waziristan on May 02, 2023.
13. Fazal Amin was forcibly disappeared by Pakistani Military from Borundi check-post in North Waziristan on May 05, 2023.
14. Taj Maluk was forcibly disappeared by Pakistani Military from Islamabad International Air-port on May 28, 2023.
15. Fazal ur REHMAN was forcibly disappeared by Pakistani Military from FARASH TOWN, HOUSE NO-11, STREET NO-1, ISLAMABAD, PAKISTAN on May 25, 2023.
16. Yar Muhammd was forcibly disappeared by Pakistani Military secret Services from HAMZA MEDICAL STORE, TEHSIL ALI POOR, DISTRICT ISLAMABAD, PAKISTAN on May 25, 2023.
17. Sabir Ullah Son of Gulzar Khan was forcibly disappeared by Pakistani Military secret services from district Bannu on July 18, 2023.

18. GUL Ajmeer Son of Sardar Khan was forcibly disappeared by Pakistani Military secret services from district Derra Ismail Khan , Khyber Pakhtunkhwa on December 30, 2023.

19. Ihsan ULLAH Son of Musharaf Khan was forcibly disappeared by Pakistani Military from Khaso Khel Military Check-Post at North Waziristan, Khyber Pakhtunkhwa on September 11, 2023.

20. MUHAMMAD Usman Son of Gul Feroz was forcibly disappeared by Pakistani Military secret services from Indus Colony, New Chongy, district Derra Ismail Khan , Khyber Pakhtunkhwa on May 20, 2023.

21. Ajmal KHAN Son of KHAN was forcibly disappeared by Pakistani Military secret services from Angoor Adda Military Check-Post, South Waziristan , Khyber Pakhtunkhwa on June 17, 2023. Was killed on August 26, 2023 in custody.

Even the year 2024 started with disturbing increase in Confirmed cases of Enforced Disappearances which have not yet been submitted under special Procedures to Working Group on Enforced and Involuntary Disappearances (WGEID).

1. Mehtab AFRIDI Son of Yousaf Khan AFRIDI was forcibly disappeared by Joint operation of Pakistani Military secret services and Counter Terrorism Department (CTD) from Tehsil Bara, district Khyber Agency , Khyber Pakhtunkhwa on December 13, 2023.

2. Suhail AFRIDI Son of ----- was forcibly disappeared by Joint operation of Pakistani Military secret services and Counter Terrorism Department (CTD) from Tehsil Bara, district Khyber Agency , Khyber Pakhtunkhwa on December 26, 2023.

3. Kifayat AFRIDI Son of Ayaz Khan was forcibly disappeared by Joint operation of Pakistani Military secret services and Counter Terrorism Department (CTD) from Tehsil Bara, district Khyber Agency , Khyber Pakhtunkhwa on January 12, 2024.

4. Tahir AFRIDI Son of Talib Jan was forcibly disappeared by Joint operation of Pakistani Military secret services and Counter Terrorism Department (CTD) from Tehsil Bara, district Khyber Agency , Khyber Pakhtunkhwa on January 10, 2024.

5. Abid Mukhlis AFRIDI Son of Ayaz Khan was forcibly disappeared by Joint operation of Pakistani Military secret services and Counter Terrorism Department (CTD) from Tehsil Bara, district Khyber Agency , Khyber Pakhtunkhwa on January 5, 2024.

6. Amir AFRIDI Son of Hashmat Khan AFRIDI was forcibly disappeared by Joint operation of Pakistani Military secret services and Counter Terrorism Department (CTD) from Tehsil Bara, district Khyber Agency , Khyber Pakhtunkhwa January 12, 2024.

7. Hamid AFRIDI Son of Noor Ghulam Jan was forcibly disappeared by Joint operation of Pakistani Military secret services and Counter Terrorism Department (CTD) from Tehsil Bara, district Khyber Agency , Khyber Pakhtunkhwa on January 12, 2024.

These cases of Enforced disappearances do not include the PTM Leader Manzoor Ahmad Pashteen who was abducted by ISI and Police personals immediately after his release on bail on January 4, 2024 from Adyala Prison in Rawalpindi city of Pakistan. Gilaman Wazir, Eid ur Rehman and Zakim Wazir, prominent Human rights Activists and leaders of Pashtun Protection Movement PTM were forcibly disappeared by Pakistani Military for 8 months before being formally handed over to local police which arrested them once again under colonial era law named 3MPO (Maintenance of Public Order) and were presented to courts after 8 months in military custody without any charge. The courts did not make accountable the personals of Pakistan Army for their illegal and arbitrary detention of these activists.

We request the Human Rights Council's good offices to take up the matter of Enforced Disappearances with Pakistan to make those responsible, accountable and punish accordingly.
