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**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.

[27 May 2024]

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



Racial Discrimination of Pashtun Ethnic Minority Continue Unabated in Pakistan

TUMUKU Development and Cultural Union (TACUDU), over the past seven years, has been monitoring, analyzing and documenting the practice human rights application in Pakistan particularly in the regions of Pashtun ethnic minority. From all that the organization has gathered it has concluded that the state of Pakistan has systematically and consistently indulge in flagrant human rights violations which requires urgent attention of the UN as presented below.

Racism, racial discriminating and the violation of the rights of ethnic minorities in Pakistan continue un-abated, where Racial profiling of Pashtuns has become a norm.

Pashto language has been removed from educational curriculum of Khyber Pakhtunkhwa. It is prohibited to speak Pashto in government offices and institutions.

Pashtuns are seen as suspects due their ethnicity and physical appearance and have been legally categorized as ‘fanatics and terrorists which resulted in state oppression and harassment in a systematic manner. It is to be noted that such profiling gives the state of Pakistan and its secret Military Services a license to forcibly disappear, arbitrarily detain, torture and extra-judicially kill Pashtuns with impunity. Resultantly, more than 32000 Pashtuns have been disappeared forcibly, 80000 have been killed, more than 200000 Houses demolished by Pakistan in the last few years.

In 2017 Punjab police issued instruction to ordinary public to keep an eye on Pashtun/Afghan street vendors. Hotels were instructed not to rent out rooms to those who look like Pashtuns. The property owners in Punjab Province of Pakistan were instructed not to rent houses to Pashtuns/Afghans. Nadra blocked or refused to renew Identity cards of 100,000 ethnic Pashtuns. HRCP has condemned this systematic racial profiling of Pashtun community in Pakistan.

The extra-judicial killing of Naqibullah Mehsood, an aspiring model in February 2018 is one of extreme examples of racial discrimination and profiling. Rao Anwar, a Police officer responsible for the killing of 444 ethnic Pashtuns including Mr. Mahsood in fake encounters in Karachi district of Sindh Province was not held accountable, treated like a hero by the central government and finally acquitted by the compromised courts of Pakistan despite strong evidence.

Instead of resolving the grievances of Pashtuns ethnic minority in Pakistan, the state of Pakistan harassed, intimidated and tortured those Human Rights Defenders who raised their voice for the protection of the rights of ethnic minorities. The most glaring example of this practice is the blocking of the Identity card of Manzoor Ahmad Pashteen, head of Pashtun Protection Movement(a social and political movement raising voice for justice to Pashtun ethnic minority in Pakistan); put him on Exit-Control List. In violation of the constitution of Pakistan, he was barred from entering Bajaur, Mohmand & Orakzai agency in KPK, Pakistan Administered Kashmir & Gilgit Baltistan and Balochistan within Pakistan.

On December 4, 2023 he was illegally arrested by joint ISI-Police team in Chaman district of Balochistan and was kept in custody incommunicado in different detention centers under colonial era 3MPO.

We have received very disturbing reports that while in police custody for more than three months Mr. Pashteen was tortured mentally and physically by keeping him awake for long hours. He was kept in small lock-up reserved for terrorists and prisoners serving death sentence. The lock-up was open from two sides with strong winds in extreme winter conditions having nothing to cover-up. He was beaten up with fists and legs and pulled his hairs. He was being held in poor, unhealthy and un-hygienic conditions with overcrowding and noise around his lock-up, inhumane physical inspections, and food lacking in nutrients. He was constantly threatened by the personnel of Military Secret Services while in custody. Three other Human Rights defenders belonging to PTM like Gilaman Wazir, Zakim Wazir and Eid ur Rehman Wazir were also kept in custody incommunicado and tortured for 7 months.

On December 18, 2018 Ministry of Interior put Manzoor Pashteen on Exit-Control-List (ECL-travel ban out-side the country). He was also banned from entering Sindh on December 07 2018 & then Baluchistan. There are constant physical and verbal threats to him by Pakistan Army and its notorious secret services that they will isolate him from Pashtun people and then kill him.

We strongly believe that Human rights defenders like Manzoor Pashteen and civil society should be able to express their opinion freely and dissent without fear of reprisal. Pakistan is a signatory to the International Convention on Civil and Political Rights (ICCPR), having ratified the document on 23rd June, 2010. Article 19 of the ICCPR provides explicitly that everyone shall have the freedom of expression, however this idea is only paid lip service to in Pakistan

Afghan Refugees in Pakistan Deported:

The racial discrimination and profiling of Pashtun ethnic minority has been taken to even higher level by Pakistan as the Afghan Refugees, predominantly Pashtuns are also targeted by Pakistan and have been forced to leave Pakistan. The harassments, inhuman and degrading treatment, arbitrary detention and torture of Afghan refugees in Pakistan by law enforcement agencies is a matter of grave concern. Pakistan has unleashed a rein of terror on both legal and un-documented Afghan refugees.

Pakistan is forcibly returning thousands of Afghan nationals to Afghanistan where they can face human rights abuses, torture and death. We would like to turn your attention to Article 14 of the Universal Declaration of Human Rights which states “ everyone has the right to seek and enjoy in other countries asylum from persecution”.

We consider statements of the Prime Minister and Interior Minister of Pakistan to deport more than 1.7 Million Afghan Refugees on November 01, 2023 as reckless and irresponsible.

Following the government notification on foreigners, Capital Development Authority (CDA) demolished several Afghan private and commercial properties in Islamabad despite the fact that majority of residents were having POR Cards and residing there legally.

Hundreds of private and Commercial properties of Afghans are demolished in Bord Bazar of Peshawar in Khyber Pakhtunkhwa which resulted in colossal financial losses to the innocent Afghans who have established businesses in these areas in the last 4 decades.

Human Rights Commission of Pakistan in its press release on October 18, 2023 called on the government of Pakistan to immediately withdraw its decision to deport undocumented Afghan Refugees on November 1, 2023 as it violates the International Law.

The press release of 14 independent UN Experts and Rapporteurs on December 6 , 2023 points towards a very alarming situation where women and children can face exploitation and sexual abuse and trafficked and re-trafficked. Persons belonging to ethnic minorities are particularly at risk of persecution on return.

All these Afghan nationals who could not pay bribes as demanded by local Police were later on deported to Afghanistan putting their live in danger. On July 24, 2022, 57 Afghan nationals were tortured and arbitrarily detained by Karachi Police in Singh Province of Pakistan are still languishing in prison in inhuman conditions.

Pashtun Protection Movement (PTM) organized protests in all major European Union Countries and even in front of the United Nations Human Rights Council at Geneva, Switzerland to condemn this in-human decision of Pakistan. Thousands of Pashtun-Afghans are holding a protest sit-in at CHAMAN in Balochistan against the decision of Pakistan to deport Afghan civilians.

Keeping in view the deteriorating humanitarian and security situation in Afghanistan we Urge UN to halt the deportation of Afghan nationals from Pakistan to Afghanistan where they will be in grave danger of being humiliated, tortured or killed. Article 3 of the convention against torture, and other cruel and inhuman or degrading treatment or punishment clearly states that no person should be extradited to a country where he can be subjected to abuse and torture.

We further urge the UN Committee on Elimination of Racial Discrimination to take up the issue of racial discrimination and profiling of Pashtun ethnic minority with Pakistan and take measures to rectify these violations of basic fundamental rights of Pashtuns in Pakistan.
