

# **Pushed to the wall**

## **Report of the HRCP fact-finding mission to Balochistan**

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**Human Rights Commission of Pakistan**

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# 1. Overview

**B**alochistan, the largest federating unit of the state, can only be likened to an active volcano that may erupt anytime with dire consequences. The situation is alarming and worsening by the day.

It is apparent from the information received by the HRCP, from various sources, government and non-government, political parties and individuals, that decision-making is firmly in the hands of the elements that were in command before the February 2008 election. It is the military that still calls the shots. The provincial government is isolated and has been made dysfunctional in critical areas. An over-sized cabinet, absence of an opposition and wide-spread corruption have all caused a political vacuum. There are deep concerns about governance in the entire country but in Balochistan the crisis is much deeper.

In this crisis, a section of the people of Balochistan has been driven to the conclusion that they are being viewed as enemies of the state. They feel abandoned by the people as well as political forces in the rest of the country. There is a sense of isolation, rejection and dejection.

Violations of human rights in Balochistan are widespread and harrowing. Regrettably, the state has not addressed these complaints and the media, either under pressure or on account of its own failings, has been unable to probe and report the dreadful reality on the ground. The most hair-raising are the continuing incidents of enforced disappearances. In addition to a large number of cases already taken up by HRCP, the Commission documented several new cases during this mission to Balochistan. This appears to be only the tip of the iceberg as a large number of families do not have access to any forum of protest or redress. Moreover, the Commission is bound by its method of work and verify each and every case brought before it in accordance with accepted international standards of reporting.

HRCP has ample evidence to support the allegations of victims' families that the perpetrators of enforced disappearances are intelligence agencies






and security forces. This has been conceded by senior officials and politicians in authority. The mission learnt that in a number of incidents even public figures in power were unable to secure relief or assurances that such incidents will stop. These public figures cited a number of incidents of disappearances in which, on the basis of credible evidence, they approached the intelligence agencies and the security forces only to be met by a bland denial. This amounts to rubbing salt into the wounds of the victims.

The existence of check-posts that cause inconvenience and humiliation was reported by people from all over Balochistan. Incidents were reported where the FC personnel manning these checkpoints insulted the people by shaving their moustaches, tearing the traditional Baloch shalwar and making other gestures derogatory to their culture and bearing.

The mission also received information about arbitrary arrests and reports of endemic torture at unauthorised cells whose existence was confirmed by public figures. A history of neglect and betrayal over the decades coupled with systematic human rights abuses carried out with impunity has made a vast number of Baloch people desperate. No wonder, in this situation a large section the Baloch youth has been driven into repudiating their allegiance to the state. Indeed, the voice of the youth is so strident that even those who disagree with them do not dare



The sense of deprivation and suppression is deep rooted in Baloch nationalist identity; the establishment's failure to negotiate and compensate further isolates a population that has long put up with armed and aggressive tactics to curb the struggle for their rights



express their views. The refusal of the Baloch youth to fly the Pakistani flag or play the national anthem in many areas and the insistence of the authorities to the contrary is only aggravating the situation. When the people's will is being broken, their voice ruthlessly stifled and their bodies charred in torture cells; where mothers are dying to hear any news of their disappeared children the state cannot expect any other reaction but one of rebellion. In such circumstances the youth particularly is vulnerable to manipulation. It is imperative for all national leaders to act with responsibility and to exercise a positive influence so that facts are not distorted.

HRCP abhors violence both as a means and as an end, perpetrated by any party. It regrets that target killings have also been attributed to militants and nationalist forces. A significant number of people have fallen victims to target killings simply because of their belief or ethnic origin. HRCP unreservedly condemns such abuse of right to life and expects all political forces to do the same publicly. The sins of the federal government must not be visited on unarmed and innocent citizens.

The government's obligation to investigate and punish the culprits is manifest and any failure in this regard fuels discontent and mistrust. In this climate of fear, a large number of government employees, academics, skilled people and members of intelligentsia have migrated from Balochistan to other areas. Many more are following. This has seriously affected the quality of services available to citizens, especially in education and health sectors. It is also causing serious imbalances in the community's social structure.

An additional factor of insecurity and tension in the province is the uninterrupted sequence of sectarian killings for the last six years. The representatives of Hazara community have claimed that 270 of their members have been killed since 2004. They have accused the security agencies of colluding with the criminal elements. As an example, they have presented the case of two notorious criminals who were arrested and kept in the anti-terrorist lock-up from where they mysteriously fled. The government had set up tribunals one in 2004 and another in 2008

to investigate two separate incidents of sectarian killings but the findings of these tribunals have not been made public so far.

The representatives of Pakhtun community list a long series of grievances relating to denial of rights and discrimination in the allocation of resources in Balochistan. A number of people in Balochistan expressed concern over the influx of the so-called Taliban and other militants in Pakhtun-dominated areas. There are serious allegations that these elements are operating within Pakistan and across the border with impunity.

## 2. Background

HRCP has been striving for political and economic rights of the federating units of Pakistan since its inception as the Commission believes that all federating units must have equal rights within the federation. The last time, in Dec 2005, when HRCP board members had visited Quetta, veteran Baloch leader Nawab Khair Bakhsh Marri was in prison. The Commission members had gone to meet Mr Marri in jail and had raised their voice for his release. At that time, HRCP Chairperson Asma Jahangir had warned the government of serious consequences of its actions to muzzle the voice of the veteran Baloch leader, Nawab Akbar Bugti. Subsequent events proved her predictions to be true. When Pakistan government had asked the UK government for the extradition of two Baloch leaders, including Harbiyar Marri, the Commission pressed on the British government not to extradite these leaders as it feared that on extradition from Britain these leaders might be killed. On the murder of Nawab Bugti, HRCP organised a protest rally in Lahore, which was attended in force as people came out on streets during heavy rains.

In 2003, HRCP noticed that the number of the enforced disappearances had risen; it raised its voice on this issue. At that time, the government came up with an excuse that these missing people were not in detention but had gone voluntarily for jihad in Afghanistan. Although Baloch nationalists claimed thousands of people were missing, the number of

enforced disappearances reported by HRCP did not exceed a couple of hundred. This is largely because HRCP follows a specific procedure as prescribed by the United Nations to include a name in the list of enforced disappearances. The Commission has to verify certain particulars of the missing person such as the name, address, the location and manner of the abduction, accounts of witnesses and proof of involvement of agents of the state in enforced disappearance. In January 2007, HRCP submitted a verified list of incidents of enforced disappearance along with a petition it filed in the Supreme Court, but the Court reluctantly started hearing the case and that too after three months of filing the petition. Out of the HRCP list of 198 enforced disappearances, 99 people had been traced after the hearing started in the Supreme Court but 99 people were still missing by the time Commission conducted its 2009 fact-finding mission. During July-September 2009, HRCP applied thrice to the Supreme Court of Pakistan for the resumption of hearing of the missing persons' case, which had been discontinued after military ruler Pervez Musharraf sacked independent judges in November 2007. The Court resumed the hearing in November 2009 and is continuing.

HRCP also continues to submit cases of enforced disappearances to the United Nations. Afterwards, Balochistan government announced that the provincial home department has a list of more than 992 missing people in the province, but a close scrutiny of the list reveals that particulars of the missing people are incomplete. In many cases, address and parentage of the missing people have not been given in the official list.

**Regional character of national media:** It goes without saying that the national media ignored Balochistan issues in its coverage. Newspapers have lost their national character and have become regional in news coverage. The news that appears in Jang Quetta does not appear in other editions of the newspaper. There is no representation of Balochistan in the media at the national level. The incidents of enforced disappearance, targeted killings and tortured bodies found on the streets are not reported in mainstream newspapers and electronic media. In Balochistan, the media is viewed to be biased along

ethnic and sectarian lines. Hazara-Shia community in Balochistan also complains that media did not report the rampant target killings of the members of the Hazara community.

In this backdrop, in October 2009, HRCP conducted a week-long fact-finding mission to look into the Balochistan situation.

### 3. HRCP fact-finding mission in October 2009

The HRCP fact-finding mission spent one week in Quetta (5-11 October 2009) and tried to meet with as many people as it could from different schools of thought and political and ethnic groups. At the same time, HRCP launched a campaign in Quetta demanding of the parliamentarians to help recover the disappeared people and persuade the government to sign the UN Convention on Enforced Disappearances. The scope of the mission was mainly focussed on two main areas: to hold consultations on democratic developments in Balochistan and to document human rights violations in a conflict situation.

Headed by HRCP Chairperson Ms Asma Jahangir, the mission began its work by meeting human rights activists and journalists in Quetta on October 5 in which they presented their views about the prevailing situation in Balochistan and outlined



The HRCP mission in convention with representatives of Balochi political parties.

human rights issues and political developments. The other members of the team included board members Tahira Kamal, Habib Tahir, Tahir Husain, Secretary General I. A. Rehman, Quetta chapter Coordinator Fareed Ahmed, Shamsuddin, Qamarunnisa, Ahad Agha, and Adnan Adil.

On the morning of October 6, Co-chairperson Iqbal Haider also joined the mission for a visit to Kalat where the team members held meetings with the family members of the Khan of Kalat, human rights activists, political activists including women and families of the missing persons and visited representatives of the Hindu minority living in the city.



Hearing out the political activists in Kalat

On October 7, HRCP vice-chairperson in Balochistan Senator Surrayya Ameeruddin joined the mission. The mission held meetings with the families of those who were missing and believed to be abducted by the security agencies and kept in illegal detention. They gave HRCP details about the disappeared people and the circumstances in which they were picked up. The mission also held meetings with elders of the Hazara and Shia communities and representatives of teachers/lecturers who have been the main victims of the targeted killings in Balochistan. In a meeting, trade representatives and businessmen religious leaders and women parliamentarians briefed the mission on the law and order situation in Balochistan in general and in Quetta in particular.

The mission called on Baloch leader Nawabzada Talat Bugti, son of late Akbar Bugti, at his

house in Quetta and visited the provincial headquarters of the Pakhtunkhawa Milli Awami Party (PKMAP) where leaders of the Pakhtun nationalist party expressed their views on provincial and national issues.

On October 8 and 9, HRCP council members from across the country also joined the mission. They included: vice-chairperson (Sindh) Ghazi Salahuddin, vice-chairperson (Punjab) Dr Mehdi Hasan, Ms Uzma Noorani, Mr Abdul Rehman Jan Sarhandi, Ms Parveen Soomro, Mr Nadeem Anthony, Mr Sher Muhammad Khan, Mr Asad Iqbal Butt, Mr Irshad Chaudhry, Mr Amarnath Motumal, Ms Tahira Abdullah, Mr Badar Soomro and Mr Joseph Francis. Mr Najam U Din, Mr Hussain Naqi and Mr Zaman Khan from the HRCP Secretariat also joined the mission.

The enlarged mission also held meetings with the state's representatives including Balochistan Governor Zulfiqar Magsi, Chief Minister Aslam Raisani, Balochistan Assembly Speaker Aslam Bhootani, provincial police chief Syed Javed Shah Bukhari and Director General Frontier Corps Maj-General Saleem Nawaz.

A separate joint consultation was organised with the representatives of nearly all major political parties in Balochistan to learn their views on the political situation and democratic development in the province.

**Response to HRCP mission:** HRCP's mission was received a mixed response: some appreciated the Commission for raising its voice for the rights of Balochistan, some expressed their lack of trust in the Commission and there were others who reposed confidence in the mission but complained HRCP could not do much for the Balochistan.

Some political parties welcomed HRCP in Quetta and said the Commission's efforts for the rights of Balochistan were not less than those of the political parties in the province and expressed their gratitude to the Commission for what they called its key role in the struggle for attaining Balochistan's political rights. In fact, the large presence of the Baloch people in the HRCP meetings confirmed that the Baloch had trust and hope in the Commission.



However, a section of Baloch nationalists view civil society organisations from Punjab or elsewhere with suspicion and describe them as dangerous for the cause of the Baloch people, that is, independence from Pakistan. These elements doubt everybody coming from outside Balochistan, in particular Punjab, and consider all people from Punjab as agents of the establishment. During the mission's stay in Quetta, local newspapers published statements from separatist nationalist leaders criticising the Commission and dubbing it as agent of the Islamabad establishment. Some nationalists invited in the HRCP meetings openly expressed their doubts on the HRCP intentions and raised the question of the Commission's ability to do anything meaningful for the Baloch and Balochistan.

One senior Baloch nationalist Dr Jehanzeb Jamaldini, senior vice-president Balochistan National Party (Mengal group), commented: "Why was the HRCP not as active 10 years ago as it is now? Why did it not spend a week in Quetta 10 years ago?" They said there is an impression that civil society organisations of Pakistan are coming to Balochistan because now they have realised that the country is breaking up and a separatist movement is raging in Balochistan. Another nationalist, Abdul Wahid Baloch, (BSO), commented: "Civil society need not lecture us but give its advice to the rulers in Islamabad." It was stated that civil society cannot help the Baloch people because neither HRCP is part of the ruling establishment who can address the Baloch deprivation nor can it join hands with the Baloch in militancy against the establishment.



In meeting with Hindu community in Kalat

On their part, moderate nationalists feel Pakistani civil society has left the Baloch people alone. They say the civil society needs to be vocal on the issues of Balochistan and spread the word in the streets of Lahore and Islamabad." Despite scepticism about HRCP, Baloch nationalists wanted the Commission to raise its voice at the national and international levels about human rights violations in Balochistan.

## 4. Democratic governance

HRCP believes that governance should be based on democratic practices with the observance of rule of law and protection of human rights. HRCP invited the representatives of political parties from across the political spectrum to learn their views regarding democratic governance in Balochistan.

There is a brazen hold of army over Balochistan. Since nationalist political parties boycotted elections, the army has practically taken over power. Complaints of human rights' violations are common all over the country, but in Balochistan they are far greater in number and intensity than anywhere else. The army officials blatantly and stereotypically deny the excesses committed against the citizens by security agencies. Decision-making related to law and order and major governance issues is in the hands of the military. A repressive security establishment committing worst kind of human rights violations against the people and an ineffectual government with a miserable record of service delivery are two main factors that undermine the democratic development in the province.

The so-called transition to democracy had not started in Balochistan as the government was being run the way it was being run since the 1999 military coup. The situation has only worsened over time. After the assassination of Nawab Akbar Bugti, there was a feeling that the rulers might have learnt a lesson, but in the following days they became more aggressive and increased the use of force. It seemed that the establishment still wanted to resolve the issue exclusively through the use of force. During this period, a brief interval of relief had come with the release of Akhtar Mengal and the production of Wahid Qambar, a victim of enforced disappearance, before



A tradition of armed suppression to counter political activism

the court. But it is an open secret that the Military Intelligence (MI) and the Inter Services Intelligence (ISI) are still calling the shots. They are assisted in this by the F.C. The provincial government is confined to carrying out development works and allegedly in the process minting money through corruption. The Army and intelligence agencies are running the real show.

**Political vacuum:** As nationalist forces, belonging to both Pakhtun and Baloch communities, boycotted the last general elections, they have no representation in the provincial or national assemblies. However, in the subsequent Senate election these parties contested and won seats. In the absence of nationalist parties, there is a void in the political system which has been filled by the. Civil-military bureaucracy

**The role of intelligence agencies:** According to HRCP's information & analysis, wide-spread corruption in the provincial administration and weak writ of the government are two major issues of governance in Balochistan. The overbearing presence of intelligence agencies, such as the ISI and the MI, in Balochistan and their actions against Baloch political activists further hamper the political process. Not only the opposition parties but also public figures pointed fingers at the intelligence agencies in some cases of targeted killing. For example, in Mastung, local residents nabbed an attacker who was carrying an ISI identity card. Some senior public figures confirmed this incident in their interviews with the fact-finding mission.

The excesses committed by the security establishment in Balochistan have increased the alienation of the Baloch people, pushing them away from the political process to militancy. The Baloch feel that security agencies treat them like enemies and as if they are not the citizens of Pakistan. It was a common complaint that the security personnel have adopted the same attitude and the same hatred towards the Baloch as they had for the Bengalis.

**Issues of governance:** Allegations of widespread corruption in the provincial government abound. It is alleged that each provincial minister has been given 140 million rupees in the name of development work as a bribe. It is generally believed in Balochistan the power of the state is in the hands of the military while the civilian government has been given a free hand to plunder the public exchequer. Nawabzada Talal Bugti, the son of late Akbar Bugti, complains that senior figures in the federal and provincial governments demanded a share from him for helping him receive his share of royalty from the Sui gas fields.

## 5. The Baloch concerns

The Baloch nationalists can be divided into two broad categories: (a) Those who want separation from Pakistan and loath any agreement with the establishment in Islamabad. They also oppose participation in the parliamentary electoral process and want to achieve their objective through militant means; (b) those who want maximum provincial autonomy within the state of Pakistan though their demands of provincial autonomy border on the confederal system of government. Some of them want autonomy or sovereign status as per the 1940 Lahore Resolution as they interpret it. These elements are willing to hold negotiations with the powers that be but on certain conditions, the withdrawal of army and paramilitary troops from Balochistan being the foremost condition.

**The issue of separate Baloch identity:** The ideological basis of the Baloch nationalist struggle, however, is the same whether they are separatists or demand greater provincial autonomy. Both groups are

asserting a distinct Baloch identity and express frustration with Pakistan over what they deem the federation's failure to acknowledge the historical identity of the Baloch people. Abdul Hai Baloch, a Baloch leader who wants Baloch rights within the federal framework, presents his views in the following words:

The establishment has never accepted the fact that Pakistan is a multi-nation country. Pakistan came into existence in 1947, but Balochs, Pathans, Sindhis, Punjabis, and Seraikis have been here for centuries. They have their own cultures and languages.”

#### **Major grievances of the moderate Baloch nationalists**

- The Baloch do not have control over their resources and Punjab has been exploiting Baloch resources for the last 63 years.
- The Baloch are not represented in the power structure at Islamabad.
- Pakistan's political system is not democratic and representative of the people, but is dominated by a single ethnic community, namely, the Punjabis.
- Institutions of the state are perpetrating excesses against the Baloch people, political activists in particular, leading to their killings, arbitrary arrests, enforced disappearances and humiliation.
- The Islamabad establishment is not trustworthy as it has backed out of its promises time and again and killed Baloch leaders, including Nawab Akbar Bugti. However, trust may be reposed in some civil society organisations of Pakistan.
- Balochistan needs political autonomy and control over natural & economic resources, and not a mere financial relief package.
- Pakistani establishment is patronising the Taliban movement and has helped them establish their sanctuaries in Baloch areas with a view to pitting them against the Baloch.

**Control on resources and economic exploitation:** The widespread grievance that



The withdrawal of military from Baloch territory is necessary to start political dialogue

Islamabad and Punjab are plundering Baloch resources could be understood in the words of a Baloch leader, Abdul Hayee Baloch: “Baloch are the most exploited people in the country. In 1952, natural gas was discovered in Balochistan, but Baloch people were denied used of that resource. They were denied opportunities to work at gas plants there. Naturally, people will react to all this. Pakistani federation owes billions of rupees to Balochistan. This region provides the cheapest gas to Pakistan. Minerals like gold are mined from Saindak but local people have been denied jobs in the mining company. The rulers are plundering our wealth.”

“Non-Baloch people are also trying to occupy our land. First, they tried to change Balochistan's demography by bringing settlers from Punjab to cultivate the lands irrigated through the newly-dug Pat Feeder Canal. We foiled this attempt. Now they are trying this through mega projects like the Gwadar port. They have started selling Gwadar land as real estate to the people of Karachi and Lahore. The land mafia has pushed the local inhabitants of Gwadar 60 to 70 miles away from the main town. They have also tried to transform the Baloch into a minority in their own land by opening up industrial areas in Hub. The army has also occupied our land. They have set up a naval base in Omara. They have not spared even our national park and Pakistan air force has occupied 93,000 acres of the park's land.”

“Punjab has occupied our resources. Punjab has patronised tribal leaders of Balochistan to keep the province backward. We were better off in 1948 when in our trade with Bombay (now Mumbai) our exports exceeded imports.”

### **Economic backwardness and deprivation:**

In far-flung areas of Balochistan, one cannot find any facility of life. In the words of Jamaat-e-Islami leader, Abdul Mateen. “The coastal highway does not pass through even a single union council of Makran district; it has been built for the benefit of civil and military bureaucracy.”

In Balochistan, education is destroyed. A large number of both public and private schools and colleges are closed. The same is the case with health facilities. Half of the population is infected with Hepatitis-B. Tuberculosis is quite common. Eye diseases are widespread. Health care for women is not available. Maternity homes do not exist in the countryside, and Baloch women have to give birth on roads on their way from remote villages to the cities where such facilities are sparsely available.

The political viewpoint of moderate elements can be understood in their own words: “We all need to resist the army. The army’s internal and external policies have failed to deliver the goods. The whole country is burning due to its policies. If civil society had played its role, the country would have been better off.”

“Today, an atmosphere of distrust prevails in Balochistan. Akbar Bugti had held talks with a parliamentary delegation; what happened to him? Can the army or civilian government in Islamabad be trusted? Who do you talk to when there is no trust?”



A case of countless grievances

“In the last 62 years, the people of Balochistan have never been rulers of their homeland. Baloch nationalists perceive Pakistani establishment as cruel and exploitative”.

“They [the establishment] think they have monopoly on intellect and wisdom. They have allowed a controlled democracy only to cool down the tempers of the masses. They have never allowed a democratic government to stay in power. The longest continuous civilian period in our history was four and a half years”.

### **The position of Baloch separatists**

- The Baloch territory and people were integrated into Pakistan through the use of force in 1948 while the Baloch representatives never approved this merger into the Pakistani nation state.
- The Baloch do not want to live with the Punjabis and want separation from Pakistan to form their own nation state.
- Both the Pakistani state and civil society are not trustworthy and are inimical to the cause of the Baloch people. The parliament and the judiciary cannot be helpful in the Baloch cause.
- If some organisation wants to help the Baloch people, it should raise the issue of human rights violations at the international level, especially in the United Nations.
- International support for independence of Balochistan is welcome irrespective of who offers that, be it the United States or India. As external elements are gathered in Afghanistan to pressure Pakistan and NATO forces just 50 kilometres away from Quetta, a favourable environment exists for Baloch nationalists to push through their agenda.

A Baloch leader, Habib Jalib Baloch, said: “Our main demand is the right of self-determination and self-rule. We appeal to the United Nations and other international organisations to help us. We want peaceful resolution of our dispute with Pakistan and to avoid bloodshed. We urge the UN to send peacekeeping forces here to expel Pakistani forces from this region and then start talks for peaceful settlement of the issue.”

Dr Jehanzeb Jamaldini, of Balochistan National Party (Mengal) said: "The national democratic organisations in Balochistan are doing their job while the militants are doing theirs. There is a section of people who has no hope in HRCP either. They say their alienation is the outcome of 60 years of excesses and deprivation. Nawab Akbar Bugti's murder has worsened the situation. No one listens to the Baloch in the National Assembly and Senate. Every federal unit needs to have veto power in parliament. By adding the seats of FATA and Islamabad in the Senate, our representation has been diluted."

A young Baloch political activist said Pakistan is a swear word for him. He talked about the humiliation people have to suffer at the hands of security agencies. He said FC officials grill them and humiliate them on their way to courts.

"The Baloch have had 60 years of experience and know that they cannot co-exist with Pakistan and appeal to HRCP to support them in their struggle for independence." He said the Baloch would take up arms to fight for their independence from Pakistan.

Another young Baloch leader said: "The Baloch are fighting for independence and would not give up this struggle come what may. I appeal to the HRCP to raise its voice on human rights' violations at the international level."

"Pakistan has occupied the Baloch land for over 60 years and the only way out is the total independence of Balochistan from the occupation of Pakistan, Iran and Afghanistan. If the Baloch are terrorists, then so are the Chechens, the Kashmiris and the Palestinians fighting for their independence."

"The Baloch are weak but they have not given up their nationalist struggle. All newspapers representing nationalist views have been closed. A murder attempt was made on senior Baloch journalist Jan Muhammad Dashti who is admitted in a London hospital in a precarious condition. My party, the BNP, organised a protest march from Gwadar to Quetta but the government stopped it by arresting 1,500 BNP workers. The Baloch are being subjected to state

terrorism."

**International actors in the region:** Baloch separatists think that Pakistan is beset with insurgencies in the northwest and a hostile setup in Afghanistan, and this provides the Baloch struggle an opportunity to exploit the situation for independence. The Baloch leadership seems to be looking at the situation in the perspective of regional developments, as NATO forces are deployed across the border in Afghanistan, only 50 kilometres from Quetta. In the words of a young Baloch leader: "There is nothing wrong in seeking foreign assistance in resolving the Balochistan issue. When foreign countries can play a role in the exile from Pakistan and then the return of Nawaz Sharif, a former prime minister, why can't the Baloch issue be resolved with the help of a foreign power? That is also justified because there is no democracy in this country."

## 6. Enforced disappearances

A large number of involuntarily disappeared persons is one of the most explosive issues in Balochistan where more people have gone missing than any other part of Pakistan. There is a common impression that the missing persons, or most of them, have been picked up across the country by state agencies on suspicion of involvement in terrorism. But in Balochistan many missing persons belong to areas where no terrorist activity has been reported. The inescapable conclusion, subsequently backed by the statement of people released by security forces, is that a large number of Balochistan's missing persons have been targeted for their legitimate political activities/opinions.

There are claims of thousands of people picked up by agencies, but HRCP managed to verify in the first instance information about 240 people. The actual number of such persons is not known. The Baloch nationalists claim their number to be over 9,000, including several hundred women, but no one has offered particulars of these 9,000.

In HRCP's view, the disappearance of even a single person is a big crime, and if the state commits

this crime it becomes an even more serious issue. In Balochistan, intelligence agencies including the police and the Frontier Corps are abducting people. The Commission demands that if the state has any complaint against a person, it should institute a case against him. The state should legally arrest him and proceed against him instead of abducting him.

In any case, the government's Balochistan rights package puts this matter high on the list of issues that need to be resolved. The government has now belatedly issued a form on which cases of missing persons should be reported. There is little doubt that this issue will be one of human rights activists' main concerns for quite some time.

HRCP started noticing this issue in 2004 when the number of missing persons from Balochistan rose sharply. By 2006 Balochistan accounted for an overwhelming majority of persons reported missing in a year. HRCP started collecting particulars of missing persons on the UN form (that the government has now discovered), by no means an easy task. In the beginning of 2007, HRCP moved the Supreme Court for the recovery/release of several hundred missing persons. By November 2007, about half of the persons listed by HRCP had been traced. The hearings stopped in November 2007 and have only recently resumed. HRCP continues to receive fresh complaints of enforced disappearances.



Protesting the disappearance of Balochis

During consultations with the families of the disappeared people in Quetta (October 2009), HRCP Chairperson Asma Jahangir told them that in order to raise its voice about the disappeared people, HRCP needed certain details about them such as their name, parentage, address, and the ground for suspecting state agencies' involvement in the abduction. She said if these details are missing, the Commission cannot raise the issue either in the courts or in the United Nations. She told them that HRCP would provide them a form to be filled for the details of the disappeared people. Separately, HRCP also demanded of the government to sign the International Convention for the Protection of All Persons from Enforced Disappearance so that it would become possible for rights groups to take up this matter in the UN's working group on this issue. She asked the audience to join hands with the HRCP to persuade public representatives and the government to sign this Convention.

**HRCP concerns:** These meetings threw up the following issues:

- ✍ The Baloch are extremely bitter that “nobody cares for their disappeared persons”. They need to be engaged in a sympathetic manner.
- ✍ Families of the missing persons living in remote areas, and in not-so-remote areas such as Kalat, do not have the means to register their complaints.
- ✍ Most people do not know how to access redress channels.
- ✍ Families are unaware of the cases in courts.

**Distrust in Judiciary:** Baloch political workers expressed their disappointment with the judiciary. In the words of Mohammad Sadiq Reesani, the president of Baloch Bar Association: “Mr Justice Iftikhar Chaudhry has not acted as a chief judge of the country but as a chief justice of the Punjab province. The Baloch do not recognise the chief justice of the Balochistan High Court. The Baloch want the status of their land to be reverted to the pre-1948 position when

it was not part of Pakistan. In the past four years, the Baloch Bar Association has filed more than 500 petitions in the Balochistan High Court for disappeared persons, but the judges have not taken them seriously. Baloch people have lost confidence in the legislature and judiciary and are indifferent to these institutions.”

**The stories of the families of “missing persons”:** A participant who did not identify himself pointed out that on February 13, 2009 a Baloch activist, Mr Jaleel Raiki, was picked up allegedly by ISI personnel from Saryab Road, Quetta. Another participant, Hidayatullah, said that his son was a graduation student and went to deposit his examination fee on September 3 2009 when he was picked up and had not returned since. A young man, Muhammad Faheem, said his brother Muhammad Naveed, was picked up by the Frontier Corps personnel accompanied by plainclothes men. He said that some other people were also picked up from nearby homes along with his brother. He said a case was subsequently registered against his brother regarding the recovery of illegal weapons from him, but the hearing of the case had not started even after a lapse of two and a half months.

An old man said his son, Abdul Hai, 21, was picked up from outside his home at Saryab Road, Quetta, and his neighbours are witness to this abduction. He said four days after the incident, a security agency's officials came to him and said his son was in their custody and that they would soon release him. He said more than 40 days had passed since then but his son had neither been released nor had he been given an opportunity to see him or talk to him on phone. "If he has committed a crime, they should produce him in a court, though we do not have any trust in the courts," said the old man.

Shabana Majid, a young woman, said that her brother Zakir Majid is a senior vice-chairman of Baloch Student Organisation (BSO) and had been picked up from Mastung on June 8, 2009. She alleged that her brother had also been abducted earlier on two occasions in 2007 and 2008 and kept in illegal detention. She said: "You cannot imagine the mourning in our home. My mother weeps buckets for

her son."

She said the Baloch people have lost trust in the non-Baloch. She said even if a bird comes from the Punjab, the Baloch view it as a representative of intelligence agencies and added that they also view the HRCP in the same manner.

Meherjan Baloch, central spokeswoman of the BSO, said civil society organisations were more dangerous than intelligence agencies. She alleged that HRCP had not raised Zarina Marri's case, a case often mentioned by Baloch nationalists but not supported by any evidence. She claimed that more than 141 Baloch women were missing, including a 10-year-old girl.

HRCP Co-chairperson Iqbal Haider said he had tried to find out the whereabouts of Zarina Marri but no one had provided him her address, the name of her father or any relative, nor any record of her existence. He said he had contacted Marri and Mengals but received no information about her.

Shari Qambar, the daughter of Wahid Qambar, who went missing in Turbat on March 14, 2007, accused HRCP of maintaining a criminal silence over the disappeared people and added that she considered civil society organisations more harmful for the Baloch cause than the armed forces.

She said if Asma Jahangir wanted to do something for the Baloch people, she must listen to all the victim families and raise this issue at the international level. "My father was kept in Turbat jail but afterwards he was transferred to Quetta and has undergone so much torture that he has forgotten my name," She said. She threatened if her father died in custody, she would go to Islamabad and commit suicide in protest.

A young man, Ghazanfar Ali, whose brother Mushtaq Baloch was missing from Khuzdar since March 27, 2009, also reiterated the demand of other Baloch student activists that HRCP needed to raise the issue at the international level as the Baloch did not expect relief from national institutions. Ghazanfar said his brother was an activist of BSO-Azad.

Another participant, Hidayatullah, said his nephew Abdul Ghani Baloch, an activist of BSO-M, had been missing since September 3, 2009. He alleged that he was picked up along with six of his friends by FC personnel in broad daylight. He said that Ghani's father, Ghulam Akbar, is himself a retired FC official, but the officers refused to see him. He said the victim's family kept receiving telephone calls from a security agency, which appeared as a single-digit phone number on the calling line identification (CLI) display, generally an indicator of a phone call from an intelligence or security agency of the country.

Hidayatullah welcomed HRCP in Balochistan and said he had no doubt about the Commission's intentions, unlike others who criticised the HRCP. He claimed that a total of 1,650 Baloch people are missing.

Another participant, Hafiz Saeed, said his son, Allah Baksh, had been missing since July 4, 2003, the day when he went out of his home on a bicycle in the morning. "I am in such anguish and pain that I no longer wish to be alive,"

Saeed said with tears in his eyes. He said he had wept so much that he had lost his eyesight. He said that he had registered an FIR in Saryab Road Police Station after 15 days of his son's disappearance and that a petition was also pending in the Balochistan High Court for the last one and a half years. He said the ISI and the MI had informed the court that they had not picked up his son. Hafiz Saeed said the HRCP's delegation should have visited Quetta much earlier. He appealed to the Commission to do something concrete to secure relief for him. He said security officials were perpetrating excesses against them.

Farooq Bangalzai, son of a disappeared man, Ali Asghar Bangalzai, said for the last few years the security agencies have been involved in abducting Baloch people and torturing them. "They torture Baloch people, causing disability and even death," said Farooq. He said his family thrice moved the

Balochistan High Court to get his father released but failed to get justice. He said he and his brothers gave up their education due to the financial problems caused by his father's disappearance and sold the family's property to fight his case in the superior courts. "Those who abducted my father do not even have the moral courage to tell us whether he is alive or dead," Farooq added.

The brother of another disappeared man, Muhammad Iqbal, said his brother was picked up along with three of his friends by the Frontier Corps in Turbat on March 14, 2007. All of them were graduate students. He said the FC confirmed that they have picked up the four men and would soon release them. He said after 11 months the FC released the three friends of his brother but Iqbal had still not been freed. He claimed the released men told him that they were kept in the FC Camp in Turbat for the first two months

and were subsequently moved to three separate rooms and shifted to Quetta after seven months. They had also addressed a press conference

at the Turbat Press Club after their release.

Muhammad Iqbal's brother said he had no hope the rulers and the courts would provide them justice. He alleged that the judges of the superior courts were also not impartial in their case. He said that during the hearing of cases about victims of involuntary disappearance, including that of his brother, a judge of the Supreme Court had commented that the disappeared people had voluntarily gone to Afghanistan, which he said indicated his mindset. He appealed to the government to at least tell the family whether his brother was alive or dead.

Chakar Qambarani, a member of Baloch Republican Party (BRP) central committee, who spent more than six months in illegal detention by a security agency, said that in the jail he saw several Baloch men detained and subjected to torture. He said he could not



bring himself to narrating the stories of torture carried out in jails because it would increase the pain of men and women present in the meeting.

He said that a Baloch man, Zafar Noshervani, was in the custody of intelligence agencies for two months. He claimed that until a few months ago men in plain clothes used to pick up people, but now FC's uniformed officials were abducting young men. He said HRCP required evidence that it was indeed a security agency that had picked up a man, but it is quite difficult for the people in Balochistan to provide proof in all cases because of a war-like situation.

Shari Qambar, daughter of Wahid Qambar from Turbat, said she had come from Karachi to attend the meeting with the HRCP and that her father was languishing in Quetta Jail after an extended period of involuntary disappearance. She said the Baloch people had become conscious of their political rights after the murder of Akbar Bugti. She requested the HRCP to work for her father's release.

The sister of Hidayatullah, another victim of involuntary disappearance, said the relatives do not accept any apology from those who have committed excess against the Baloch. She said HRCP members should visit dungeons and torture cells of security agencies and get the Baloch people released. She said her mother spent the Eid day crying for her son. Hidayatullah's mother was also present in the meeting and appealed for HRCP's assistance to get her son released.

A young man said Takari Hashim was taking a patient to a nearby hospital when officials of the MI, ISI and FC picked him up in front of 20 men. He said later they were asked to enquire about Hashim from the ISI but had not received any information about him despite the lapse of 80 days. He said since Hashim used to graze cattle in Qalat and knew the routes in the

desert and paths leading to water springs where militants usually hide, he had been picked up by the agencies to help locate such areas.

Latif Baloch, the brother of a disappeared man, Kabeer Baloch, said he was thankful to HRCP that it had come to meet the Baloch people.

He said his brother was picked up 95 days earlier from Khuzdar, but he still does not know the whereabouts of his brother. He said some other men picked along with his brother had later been released. He said the released people said they were tortured in the detention.

Another participant who identified himself as a close relative of Saleem Langov said Langov, a rickshaw driver in Quetta, was picked up by plainclothes men along with his rickshaw. He said he

feared that by speaking about Langov, he was exposing himself to the risk of being pickled up.

***The sister of Hidayatullah, another victim of involuntary disappearance, said the relatives do not accept any apology from those who have committed excess against the Baloch. She said HRCP members should visit dungeons and torture cells of security agencies***

Professor Siddique Baloch gave details of the abduction of his brother, Dr. Din Baloch. He said on the night between June 28 and 29, men in plain clothes came to the residential quarters of the Civil Hospital in Khuzdar and picked up his brother. He said the family filed an FIR with the local police station, but the police registered the case against unidentified people instead of intelligence agencies' personnel as the family wanted it to. He said the family has also filed a petition in the Balochistan High Court. He said he had also met the Quetta corps commander to get his brother recovered but the army officer said his brother had been picked up by a private group. He ruled out that possibility and said his brother and the family did not have any personal enmity and therefore it was unlikely that he was abducted by a private group or individuals.

Shahzeb Baloch, president of BSO (Azad) Quetta, said he himself underwent the torture of ISI for three months. He said the agencies were picking up the Baloch and treating them like animals. He claimed thousands of people have been picked up whose names were yet to be known. He said he was abducted from a market by armed men and on his refusal to go with them in their car, he was beaten and forced to sit with them. He said in the torture cells he was tortured by ISI and MI officials who were in plain clothes. He said during the interrogation, they used to ask him about Baloch leaders including Zakir Majeed, a central leader of BSO. He said FC officials had told him that they had 475 Baloch men in their custody and threatened him that they would keep him in detention indefinitely if he did not cooperate.

## 7. Target killings

All over Balochistan, the widespread killings of non-Baloch teachers, targeted killings and abduction for ransom of businessmen coming from the Punjabi- and Urdu-speaking communities and sectarian killings of Hazaras belonging to the Shia faith indicate a near breakdown of law and order in Balochistan. This is despite the presence of FC and several intelligence agencies.

It is evident that the common people in the province fear not only the state apparatus, such as the intelligence and security agencies, but also the non-state actors, the militant Baloch organisations, as well. Several Baloch young men frankly admitted to HRCP that Baloch militants were involved in targeting and killing non-Baloch people including teachers, but some Baloch representatives of teachers' associations were in a state of denial. They presented a conspiracy theory and said that intelligence agencies were involved in target killings of non-Baloch people, which seemed absurd.

***Since the year 2003 more than 260 people belonging to the Hazara community in Quetta have been killed in target shooting and more than 1,000 people injured. Not a single person has been convicted for carrying out these killings so far.***

The public safety situation is so bad in Quetta that businesses close early in the evening. A lot of people including non-Baloch businessmen are migrating from the city. During the last couple of years incidents of abduction for ransom have sharply risen and not a single perpetrator of the crime has been held accountable.

The business community is forced to pay extortion money to one or the other political groups. Mine-owners in the province pay extortion money to the Baloch Liberation Army (BLA) and other militants who receive between one and two million rupees in extortion from businessmen. Generally, it is said, militants do not kill Punjabi businessmen because they can pay them ransom or extortion money, but they kill poor Punjabis who cannot make payment.

**Killing of Hazaras:** Since the year 2003 more than 260 people belonging to the Hazara community in Quetta have been killed in target shooting and more than 1,000 people injured. Not a single person has been convicted for carrying out these killings so far.

The Hazara community believes that security agencies and the government are protecting and patronising the perpetrators of the crimes against the Shia group. As an example, they cite the case of two convicted criminals, Usman Saifullah Kurd and Shafeeq Rind, belonging to the anti-Shia Lashkar-i-Jhangvi organisation, who mysteriously escaped from a very well-guarded jail of Anti-Terrorist Force (ATF) in Quetta Cantonment where no one can enter without a pass, implying that their escape was facilitated by the security agencies. One of them, Shafeeq Rind, was arrested five months later but Usman was still absconding.

A number of lawyers belonging to Shia and Hazara community have been killed in targeted shootings. Sectarian hit-men dare judges in the courts that on release they would again kill Shias. The Hazara Shia

community seems to have lost trust in the provincial government's capability to bring perpetrators of the crimes to justice. The administration seems to bear ethnic and sectarian

biases against the Hazara-Shia community. Since the new government assumed the charge, not a single challan had been presented in courts against the accused. The accused are arrested in the morning and released in the afternoon. No government or public official had ever condemned the targeted killing of members of the Hazara community nor came to condole the murders or offer any compensation to victims' families. A senior public figure told HRCP fact-finding mission that public figures do not condemn the target killings for fear of being attacked.

There are complaints that Police/ATF officials were also involved in the killing of members of the Hazara/Shia community on March 2, 2004 when terrorists attacked the main Ashura (10 Muharram) procession in Quetta. An ATF SP Amir Khan Mandokhel is accused of being biased against Hazaras on ethnic grounds and committing excesses against them, and that he had carried out the massacre of Hazaras in 2004. The officer had been holding the same position for the last 15 years. There are widespread complaints that the Anti-Terrorist Force personnel commit excesses against the Hazara community and humiliate them.

The police is accused of not taking sectarian killings and crimes against the Hazara community seriously. They say no effort was ever made by the government to conduct an impartial inquiry into serious charges. The government had set up tribunals to probe the loss of lives in 2004 and 2008, but their findings had not been made public to date. Several Hazaras were killed in these incidents and by implicating members of the Hazara community in those murder cases the police had made matters worse for the community.

***Although Punjabi and Urdu-speaking people involved in all kinds of services are the target of the Baloch militants, the killing of teachers is more noticeable because of the large scale of violence against them and its visible impact on the society***

It seems sectarian militancy has been allowed to flourish with impurity in Balochistan, in particular in Quetta, and the public believes that the intelligence

establishment has connections with the sectarian organisations. In recent years, a banned sectarian organisation, Sipah-i-Sahaba, has become active under a new name, Jamaat Ahle Sunnat. A Shia religious leader, Allama Maqsood Ali Donki, was killed in a grenade attack by two assailants. The police killed the two attackers on the spot. The next day, Jamaat Ahle Sunnat brought out a protest demonstration against the killing of the assailants. There are reports that sectarian militants openly say they would keep killing Shias unless they embraced "Sunni Islam".

The relative prosperity of Hazara community, with handsome amounts of remittances coming home from a large number of expatriates, is cited as another reason behind increasing crimes against the community members. It seems a campaign has been launched to terrorise the Hazara community so that they leave Quetta by selling their businesses and property at throwaway prices. Pamphlets have been left at their homes telling them to sell their houses and leave. Incidents of abduction for ransom are common in Quetta and the members of Hazara community are abducted on sectarian basis. The ransom amount ranges between one and four million rupees.

**Teachers:** Although Punjabi and Urdu-speaking people involved in all kinds of services are the target of the Baloch militants, the killing of teachers is more noticeable because of the large scale of violence against them and its visible impact on the society. Most professors in Balochistan University are from Punjab or the port city of Karachi in Sindh and they say they keep receiving threatening letters asking them to leave Balochistan. The letters read: "We are from Balochistan Liberation Army (BLA). You should leave this province." Because of violence Balochistan University remained closed for two months and was

opened in October 2009. At least 20 Balochistan University teachers have got themselves transferred on deputation to Sindh or Punjab because of insecurity; 120 university teachers have requested to be transferred out of Balochistan; 10 professors take their classes with gunmen guarding them; and most teachers have shifted their families to Punjab or other parts of the country.

Dr Safdar Kiyani was the most senior professor in the Balochistan University; he was shot dead the day he was made vice-chancellor in 2009. Afterwards, his two sons left Quetta. Regrettably, no Baloch political party or leader condemned Dr Kiyani's murder or attended his funeral prayer. Moderate Baloch leaders say that they cannot criticise such murders for fear that they would be blasted for condemning the violence perpetrated by the militants in the name of waging a struggle for independence.

In these circumstances, no Pakhtun or Punjabi teacher wants to conduct examinations in Baloch-dominated areas. The only degree college in Quetta, Govt Degree College Quetta, with 3,000 enrolled students, had remained closed for nine months when the HRCP team visited the province. The building was being used as the armed forces' camp office. The government has opened new campuses of the University in Turbat and Loralai so that teachers could continue their work there, but it will deprive students from Baloch-dominated areas from continuing their studies and create further tension between the Baloch and Pakhtun communities.

The government's failure to arrest and prosecute the perpetrators of violence is another reason that discouraged non-Baloch teachers to continue working in Balochistan. No public official

***No public official expressed sorrow over the murder of the teachers. No political organisation ever protested against the closure of colleges in Balochistan***

expressed sorrow over the murder of these teachers. No political organisation ever protested against the closure of colleges in Balochistan. The only protest has been from the academic staff in these institutions.

The cycle of violence makes the situation worse for Balochistan's teaching community, which is already suffering on account of low emoluments and benefits for their services compared to other provinces. For example, PhD teachers in the Punjab receive an allowance of Rs 10,000, while the amount for a teacher with the same degree in Balochistan is only Rs 950.

## 8. The Pakhtun concerns

Democratic development in Balochistan, among other factors, hinges on harmonious relationship between the two major ethnic groups in the province, the Baloch and the Pakhtun.

Balochistan's Pakhtun nationalists formulate their political agenda in three different matrices: (a) A pan-Pakhtun desire to cobble together the Pakhtun-dominated areas into one political entity; (b) A multinational Pakistani state in which constitutionalism and federal parliamentary principle guarantee their political rights; and (c) present-day Balochistan with equal representation of the Pakhtuns and the Balochs. The third option represents the minimum they want to have under the circumstances.

The rhetoric of the Pakhtun nationalists begins with what could be termed as Pan-Pakhtunism. Pakhtun nationalists express the desire for a united Pakhtun territory consisting of all Pakhtun-dominated areas in one federal unit. The nationalists resent the division of Pakhtuns into several administrative parts of Pakistan including the NWFP, Balochistan, Punjab (Attock and Mianwali), Federally Administered Tribal Area (FATA) and Provincially Administered Tribal Area (PATA) in NWFP and that the Pakhtuns are the most displaced people in Pakistan with more than 10 million people living far from their homes, especially in Karachi, to earn a living. The complaints of economic exploitation by Islamabad and Punjab are also numerous, especially that the Punjabis are looting

Baloch resources. The nationalists want rivers' water in the country to be considered as Pakhtun property and given royalty on it along with oil, gas, precious stones and other minerals.

While the Baloch nationalists seem to have drifted away from the constitutional framework for the attainment of their political rights, the Pakhtun nationalists want their rightful political share in a genuinely federal arrangement. They complain of the country's overall political turmoil with repeated military interventions, interruptions in democratic process, and the violation of the Constitution, which in their opinion have caused denial of the Pakhtuns' political rights. They also resent the country being run like a unitary state instead of a federal parliamentary democracy as envisaged in the 1973 Constitution. They want a new social contract in which all the nationalities, or nations as they call them, in Pakistan have equal rights.

The Pakhtun nationalists complain of meddling by the army and intelligence agencies into politics which hampered the democratic process and participation of all nationalities in power system. Lack of confidence in electoral process and doubts about its fairness are also major issues with the Pakhtun nationalists. In Balochistan, the Pakhtunkhawa Milli Awami National Party (PKMAP) is the largest political party of Pakhtun nationalists. PKMAP provincial chief Usman Kakar says: "The parliament must consist of elected representatives of the people instead of people returning to assemblies on the orders of GHQ with the help of police officers."

In the matrix of Balochistan, the Pakhtun nationalists refer to low representation given to the Pakhtuns in the provincial set-up and complain they have been reduced to second-rate citizens in the province. The divergent estimates of the population of

the two communities are at the root of the discord. According to Pakhtuns, the population of the two communities is equal in the province, but Baloch nationalists say the ratio is 80 to 20, with the Baloch in majority. The estimate of population ratio also gives birth to controversy over the distribution of provincial funds, job opportunities and admissions into educational institutions. At present, two-thirds of the electoral constituencies in the province have a majority of Baloch people. In the province, there are 12 administrative districts dominated by the Pakhtun while 18 districts are dominated by the Baloch population. The fact that since the time Balochistan gained the status of a province, no Pakhtun could

become chief minister of the province is presented as a proof of a political deprivation of the Pakhtuns. Alienated from the provincial entity, the Pakhtun want their areas' separate existence and representation in the parliament as it

was in the British Balochistan, called Chief Commission's Province at that time, comprising 85 percent Pakhtun population.

**Discrimination:** The Pakhtun businessmen control two-thirds of Quetta's trade in addition to their traditional hold over the thriving transport business. The deteriorating law and order situation has affected the Pakhtun businessmen, but the Pakhtuns do not seem to be the victims of ongoing targeted killings. Instead, the Pakhtuns in Quetta seem to be quite an influential and powerful community. Still, they complain that the government's policies and actions are discriminatory against them. The violation of merit system in admission to academic institutions and observance of quota system favouring Baloch population are presented as examples.

A common perception is that neither the federal nor the provincial government contributes to making life better for the Pakhtun. Pakhtun nationalists claim that in Pakhtun's social life, the

government's contribution is no more than 10 percent. In the federal annual development plan, 17 percent funds are allocated to the Baloch areas while only 4 percent funds are given to the Pakhtun areas, the PKMAP says.

In Pakhtun areas, people are facing economic problems due to the after-effects of a drought that hit the region 10 years ago. More than 10,000 orchards consisting of 9 million fruit trees were said to have withered. The water level that was 250 feet below ground a decade ago has plummeted to 1,400 feet. Neither the federal nor the provincial government took any relief measure to rescue the Pakhtun farmers, and their demands to build dams have fallen on deaf ears.

It is commonly believed that crime in Pakhtun areas has increased since the abolition of traditional system of Levies, a paramilitary force, during the Pervez Musharraf regime. Earlier, 94 percent area of Balochistan was under the control of the Levies and only 6 percent under the control of the regular police force. The Pakhtuns denounced target killings and hostility towards the settlers. One reason is, besides other things, any interruption of normal life harms their business interests.

## 9. Minorities

While the general law and order situation in Balochistan is quite bad, the minority community, especially Hindus, seem to be the worst affected from both sides the state and the militants. Hindus are worried about dwindling employment opportunities, kidnappings for ransom and forced conversion of Hindu girls to Islam.

More than 1,000 Hindus live in the town of Kalat. They say they feel like second-class citizens. The community is afraid that the tradition of tolerance that was once the hallmark of Baloch society may be coming to an end. At the time of Partition, Hindu-Muslim riots did not take place in Balochistan. Hindus were free to go everywhere in Balochistan and local Muslims would welcome them.

Until a few years ago, thefts and murder were

rare in Kalat; now they are rampant. Violence has become common and widespread. Hindus do not feel safe in Kalat's exclusive locality, Hindu Mohallah. There is a lot of population pressure on the Hindu community to move out and settle a new locality but they are afraid to do so out of fear for their security. Hindus complain that they cannot go out of town even in day time for reasons of security. "We live in a ghetto and celebrate our festivals in an atmosphere of fear. The Hindu community is so scared that they do not speak freely for fear of being harmed.

**Neglect and discrimination:** The Hindus have access neither to high-ranking government officials nor holders of political offices. The community leaders complain that they have failed to get an appointment with the Balochistan chief minister and or governor to convey their concerns. For the last five years the district minority committee has not met, indicating the government's indifference to their problems.

Members of religious minorities are ignored for government jobs. Thus, there is an issue of unemployment among Hindu youth owing to the unannounced discrimination.

There are only two schools for the Hindu community in Kalat which are inadequate to provide education facilities to the community.

**The government's indifference:** The government seems to be doing little to remove the anxieties and complaints of the Hindu community. It seems to have failed to provide even a semblance of protection to the community. Police rarely takes notice of crimes against the community members. In 2009, a young Hindu child was abducted for ransom in the presence of police. A few years ago, a young Hindu man was murdered, but police did not arrest the

***Members of religious minorities are ignored for government jobs. Thus, there is an issue of unemployment among Hindu youth owing to the unannounced discrimination***

accused. In the words of a Hindu community leader: "The government does not do anything for us. When our boy was abducted, we went on strike for two days, closing businesses and blocking the National Highway for one whole night, but nobody turned up to ask what the issue was." Even no political leader came to help the community. The boy was recovered due to the community's own efforts, implying the community paid ransom for his release. Hindus are a generally peace-loving community and are politically and socially weak. The day the Hindu boy was abducted in Kalat, four young men brandishing assault rifles kept patrolling the streets of Hindu Mohalla and no one stopped them. The Hindu traders pay extortion money amid threats of their shops being bombed unless they make the payment.

**Conversion:** Although conversion of Hindu girls through marriages is not as widely reported in Balochistan as in Sindh, a few cases of conversion have taken place. In Quetta, complaints were made that some cases were reported in which young Hindu girls were first lured into a relationship and then converted to Islam. HRCP representatives asked the leaders of the Hindu community to provide particulars of the cases. Their response was awaited till the writing of this report.

**Property issues:** The representative of the Sikh community, requested HRCP to help Sikh community of Quetta regain the possession of a Sikh gurdwara where the government has set up a school. There are four Hindu temples in Quetta but their adjacent land is in the possession of the Evacuee Trust Property Board. The Hindu community wants the land repatriated to these temples.

**Voting under duress:** The joint electorate system created some problems for the Hindu community in Balochistan. The Kalat Hindus say if they do not vote for a candidate in a general election, he becomes their enemy. The Kalat Hindus were of the

opinion that their representatives should be elected by their votes exclusively. At present, there is no elected representative of the Hindu community from Balochistan in the National Assembly who can focus on their concerns. All Hindu minority seats get filled

from Sindh where Hindus are in large number. Those who get elected on reserved seats do not meet the Hindus of Balochistan because they do not need their votes.

It was complained that members of the Hindu community cannot vote freely. The head of the community (maharaj) is pressured to decide in favour of one candidate or the other and the community members vote in support of the candidate chosen by the elder.

## 10. Conclusions

The rule of Pervez Musharraf has been quite a provocative phase for the Baloch because in this period state excesses radicalised the common Baloch. The mega projects such as Gwadar port and coastal highway started in Balochistan during this period strengthened the Baloch's sense of deprivation as they thought they were not among the beneficiaries of these projects. After losing the control of the mineral resources such as natural gas in Sui and minerals in Saindak, they realised that now the coastal belt of Balochistan was also being snatched from their control to the benefit of non-Baloch population of the country. Army operation to capture major not resource discovered?

When the Baloch started resistance movement against the measures taken by the Musharraf regime, the government responded by using force instead of holding negotiations and displaying a spirit of accommodation. Blood was spilled, which has traditionally led to the erosion of trust between the Baloch and the centre. The killing of Nawab Akbar Bugti, the mysterious killing of Balach Marri, the brutal murder of three Baloch leaders in 2009, and torture of illegally detained students, and enforced disappearances have made matters worse. In the regional context, where presence of international actors in bordering Afghanistan has strained the Pakistan establishment, the Baloch consider it a moment suited to pushing their agenda more aggressively. They have taken up arms and they justify it on the pretext that they have reacted to the use of force against them.


At the moment, neither the top tier nor the younger leaders of the Baloch resistance are willing to start negotiations with Islamabad. The Baloch youth make up the backbone of the resistance movement. Even those nationalists who want to remain within the federation do not want to be seen hobnobbing with the Islamabad establishment lest they annoy the rebellious youth. The thrust of the Baloch movement is to internationalise the Balochistan issue. Those who are seeking a solution within Pakistan are quite weak and not in a position to publicly oppose the separatists. Rampant human rights violations by the state agencies have strengthened the position of the Baloch separatists. One way forward could be government action to improve the human rights situation and take the moderate nationalists on board by holding fresh elections in Balochistan. For this to happen, the government needs to win the confidence of the Baloch people by meeting their main demands such as withdrawal of army and paramilitary forces from the Baloch territories, facilitating return of internally displaced people of Dera Bugti and releasing all political prisoners.

Soon after the HRCP policy statement on human rights violations in Balochistan issued on October 11 2009, the federal government announced some relief measures, named Aghaz-i-Huqooq-i-Balochistan Package. Prime Minister Yousaf Raza Gilani announced the relief measures in a joint session of parliament on November 24. As the so-called package is yet to be implemented and its impact examined by independent observers, HRCP reserves its comment on how far the promised package has been able to provide relief to the people of Balochistan with regard to human rights.

## 11. Recommendations

1. There is an urgency to create a climate of confidence and trust in Balochistan so that wider consultation with all stakeholders becomes possible. As a first step towards confidence-building, demilitarisation of the province is essential.
2. There is a need to restructure laws related to civil armed forces and define their role and the substance of reform needs to be debated in parliament.
3. In the long run, all political forces of the province should be brought into the political mainstream.
4. The people of Balochistan need to be assured that they will have full authority to decide their affairs including the management and control of the province's natural resources.
5. Baloch people's overriding concerns about missing persons and displaced people should be addressed and decision-making powers restored to civilian, elected representatives of the people. On the issue of disappearances there is need to set up a high-level commission with powers to investigate cases of disappearance, examine witnesses and summon any state functionary who has had anything to do with these matters.
6. All those illegally held must be freed and compensated. Political prisoners need to be released and perpetrators of human rights violations brought to justice.
7. There is a need to raise awareness among the people outside Balochistan on what is going on in the province.
8. There is a need to set up industrial zones in Quetta and other urban centres of the province where the young people could use their potential and get employment.
9. Civil society needs to increase its activities in Balochistan to monitor the human rights situation and democratic development and mainstream the concerns of the Balochistan people.
10. National media's coverage of Balochistan is sketchy and inadequate; it needs to allocate





more print space and airtime to the issues confronting Balochistan. The coverage of Balochistan issues needs to be made part of the national coverage.

11. The quality of education is quite low in Balochistan and owing to continued violence and subsequent closure of educational institutions the students of Balochistan have suffered in terms of education. In the circumstances, Baloch students cannot compete with the students of other provinces and need to be given preferential treatment in admission to colleges and universities and in government employment.
  
  12. Last, but not the least, actions speak louder than words. The government needs to take practical steps to provide relief to the people of Balochistan, such as providing employment to the youth, increased funds for the provincial government, withdrawal of army and paramilitaries from the Baloch territory, release of political prisoners and disappeared persons and constitutional amendments for greater provincial autonomy. In short a political settlement is urgently needed and vital if Balochistan is to be spared any more pain.
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Annexure I:

## List of sectarian killings in 2009

**In 2009, 15 incidents of sectarian violence took place in which 26 men were killed and five others injured.**

January 10: Syed Saqlain Naqvi a leader of Tahreek-e- Jaffria, was shot and killed on Chakar Khan Road, District Sibi along with his gunman Ghulam Ali by unidentified gun men.

January 13: Hanif Ali Hazara, the resident of Muslim Ithad Colony, was killed by unidentified armed men on Kirani Road, Quetta.

January 14: Police officials, namely DSP Hassan Ali, Ghulam Muhammad, Muhammad Tariq and Nasarullah were gunned down by unknown armed motorcyclists on Sariab Road, Quetta when they were on their way to the Police Training College, Quetta.

January 26: Hussain Ali Yousafi, Chairman Hazara Democratic Party (HDP) assassinated by unknown armed motorcyclists, when he reached his travel agency located on Jinnah Road, Quetta.

February 3: A shopkeeper, Iqbal Zadi, came under attack by unknown men on Zarghoon Road, Quetta when he was going his vehicle on his way to home.

February 19: Cleric Muhammad Iftekhhar Habibi, the Nazim of Jamait ulmah e Pakistan Noorani Group and the talk show host of PTV Bolan, was killed by unknown armed men in Quetta.

March 1: Ghulam Sakhi and his son Ali Asghar were shot and killed by unidentified men at Zarghoon Road, Quetta.

March 3: Five men, Haji Mukhtar, Liaqat Ali, Zahid Ali, Nasseem Ali and Hayat Ullah, were killed by unknown armed men at the Eastern by pass near Tameer-e-Nau University, Quetta.

March 4: M. Ali and Ali Ahmed were shot and killed by armed men on Arbab Karam Khan Road, Quetta.

June 23: Talib Agha, Union Nazim Halqa 15, along with his guards Jawad and Ali Ahmed, were gunned down by unknown armed men on Fatima Jinnah Road, Quetta.

August 21: Allama Maqsood Domki, the President Jafaria Alliance Balochistan, survived attempt on his life as the attacker opened fire at him when he was passing through Mekongi Road, Quetta. His gunman shot at the attacker who died on the spot.

September 8: A prominent trader, Ahmed Ali Hazara, was killed by unidentified armed men on Sirki Road, Quetta.

October 2: Noted lawyer and PPP activist, Waliat Hussain Shah, was gunned down by unidentified armed men in Quetta.

October 14: Chief Inspector Mines, Muhammad Ashraf, was shot and killed by unidentified armed men in Quetta.

October 15: Aslam Mirza, President Jamhoori Watan Party (JWP), was shot and killed by unidentified armed men in Quetta.

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*Annexure II:*

### **List of target Killings in 2009**

**Total incidents of target killings 141; Ordinary men injured 83; Ordinary men killed 118, Security personnel injured 7 and security personnel killed 158**

Following incidents of target killing took place during 2009.

January 5: A police constable Qadir Bakhsh was killed by unknown armed men in Mashaky Gujar Bazar in Awaran district. Constable Abul Hakeem Balochistan Constabulary (BC) was gunned down the same day.

January 7: Bismillah, a policeman, sustained injured as he was shot at by unidentified men in Killi Shabo, Quetta.

January 21: Atiq Ahmed, manager of a bank at University Branch at Sariab Road, was gunned down by unidentified men.

January 20: Four men in Kalat were shot and killed by unidentified men.

January 24: Unidentified gun men shot and killed Ayoub Marri and his gunman Haq Nawaz in Quetta.

January 25: The residents of Rahim Yar Khan Shahzad 32 and Farooq 33 year were targeted by unidentified men on Sariab Road.

February 3: Two men, Ibrahim and Toufiq, were killed in Thump District Kech Turbet by unknown armed men.

February 4: Ten unidentified armed men raided a house in Dera Bughti during a wedding ceremony and shot the people there indiscriminately thus killing groom Mun Dost and bride Dura Kahatoon besides Moulvi Gul Din, Kakar, Bahrram, Allah Dad, Miran Baksh, Ali Baig and Mir Ali while 17 others including children and women were injured.

February 4: Three labourers from Punjab, namely Muhammad Ajmal, Muhammad Shahbaz and Haji Farooq from Noshki, were gunned down by unknown armed men in District Noshki.

February 4: The resident of Bawalpur, Haji Jameel, was shot and killed by armed men Mastung

while another settler Muhammad Rafiq was injured in Khuzdar.

February 9: A police man, Ehsan Ullah, was killed in a firing incident in Eastern Bypass Quetta by unidentified gun men.

February 14: A barber, Javaid, was shot and killed on Salachi Street, Quetta.

In another incident, at Mano Jan Road, Quetta, one Faisal and his two children, Tariq Mengal and Bashir Mengal, were wounded in the firing.

February 23: Baloch intellectual Jan Muhammad Dashti and his driver Muhammad Ali were wounded when they were shot at near Sariab in Quetta.

February 25: Four men, namely Gulab Shah and his three sons, Jalil Shah, Raheem Shah and Methab Shah, were shot at and killed at Burma Hotel Sariab Road, Quetta by unidentified gun men.

March 21: A labourer, Mushataq, was killed by unidentified armed men in Turbat, Mand.

March 23: Unidentified attackers shot at an FWO vehicle killing Muhammad Bout and injuring Junaid and Naseer Ahmed.

March 31: Alam Zehri, Principal Government Degree College, Kalat was shot dead by unknown armed men in Kalat.

April 14: A police constable, Niaz Ahmed, was killed in a firing incident by unknown men near Degree College, Quetta.

April 14: Hassan Javaid sustained injured as unidentified men shot at him in District Mastung.

April 16: A tailor, Imran along with other Shamraiz and Asim, shot and killed by armed men on Double Road, Quetta.

April 21: Sadur Rehman was gunned down by armed attackers on Link Road Quetta.

May 4: Policemen, Gul Khan and Shams, were shot and killed in Quetta.

May 29: Arshad Mehmood, Muhammad Asif,

Zohaib and Abdul Khaliq Langove were killed while a passerby sustained injuries as unknown armed men shot at them at Jial Road, Quetta.

June 1: A member of PML (N), Haji Naeem Kashmiri, was gunned down by armed men at Jinnah Road.

June 6: Three police men, belonging to Balochistan Constabulary, were killed by armed men in Quetta. June 7: Zulfiqar Ali, a security guard of CM house, was shot and killed in the premises of CM house.

June 10: A barber, Muhammad Ajmal, was shot and killed by unknown armed men at Saraib Road.

June 10: Khalid Mehmood, Vice Principal Balochistan Residential College (BRC), Khuzdar, was gunned down by unknown armed men in District Khuzdar.

June 20: Zia ul Haq Qazi was gunned down along with his reader Khaliq Dad by unidentified armed men on Sairb Road Gird Station Tehsil Dasht, District Mastung.

June 23: Abdul Ghani was killed in a firing incident on Jinnah road.

July 7: Javaid Lodhi, Principal Government Pilot Secondary School, was gunned down by armed men in District Mastung.

July 23: Haji Muhammad Mohsin, headmaster of Govt. High School Sariab Mills, was killed by armed men in the premise of the school located on Sariab Road, Quetta.

July 24: Professor Amanat Ali Baig, Principal Govt. Commerce College Quetta, was shot and killed on Quarry Road.

July 25 Professor Ghulam Sarwar, Head of Chemistry Department, was killed by unknown armed men in the premises of his house located on Sariab Road, Quetta.

July 25: Two young men, namely Zafar and Khalid, were killed by unidentified armed men in Muslim Town, Quetta.

July 26: Tahir Memon, manager Pepsi Cola, was killed along with his other two colleagues, Ali and Hameed, by unidentified armed men on Eastern by pass Quetta.

July 27: Laborers, namely Sikander, Abdul

Rauf, and Faqir Hussain, sustained injuries when shot at by unidentified armed men on Joint Road, Quetta.

Aug 26: Unidentified armed men shot at four Christian men, namely Naveed, Shahzad, Asif Chand and Joseph leaving them killed while Omar sustained wounds at a laboratory located on Jinnah Road, Quetta.

August 31: Muhammad Rafiq and Saleem were killed by unidentified men on Spiny Road, Quetta.

October 24: Balochistan Minister for Education, Shafiq Ahmed Khan, was assassinated by unidentified gun men near his residence located on Ali Bahduar Road, Quetta.

Nov 25 Norez Ahmed, vice President Balochistan National Party (BNP), was gunned down by armed men in Usta Muhammad, District Jaffarabad.

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Annexure III

**The HRCP list of missing people in Balochistan (updated on 9 January 2010)**

Sr. No	Name of Missing Person	Parentage	Date of Missing	Address	District	Remarks
1	Abdul Hai Bangalzai	Abdul Wahab Bangalzai	29-Aug-2009	Not available		Missing
2	Abdul Hameed Baloch	Ghulam Shad	14-Mar-2007	Village Dazan, P.O. Mand, Tehsil Tump District Kech	Kech	Missing
3	Abdul Qadir Langove		08-Sep-2009			Missing
4	Abdul Raheem		26-12-2006		Gadani	Missing
5	Abdul Rasool Marri	Samail Khan	01-Feb-2008	Arbab Karam Khan Road, Al-Mashriq Street, Quetta, Balochistan	Quetta	Missing
6	Abdul Whaid Baloch	Haji Aali	14-Mar-2007	Village Dazan, P.O. Mand, Tehsil Tump District Kech	Kech	Missing
7	Alam Pirkani		24-Sep-2000			Missing.
8	Ali Ahmed Baloch		02-May-2009			Missing
9	Ali Asghar Bangalzai		18-Oct-2002			Missing
10	Ali Muhammad		21-Feb-2005			Missing
11	Aman Ullah		30-Oct-2006		Karak	<b>Traced person</b>
12	Attaullah Baloch		27-Mar-2009			Missing
13	Aziz Ullah	(Late) Wadera Shah Nawaz Marri	25-Sep-2006		Quetta	<b>Traced Person</b>
14	Bakhtiar Bangalzai		03-Mar-2009			Missing
15	Beurg Marri		05-Jun-2006		Quetta	Missing
16	Chakar Khan Marri	Jamil Ahmed	03-Sep-2009			Missing
17	Daad Rehman		26-Dec-2006		Gadani	Missing
18	Debarg		15-Feb-2007			<b>Traced Person</b>
19	Din Muhammad		26-Dec-2006		Gadani	Missing
20	Dr. Muhammad Hanif Bugti		13-Nov-2005		Quetta	<b>Traced Person</b>
21	Faiz Muhammad		15-Mar-2007			<b>Traced Person</b>
22	Fazal Baloch	Dur Muhammad	14-Mar-2007	Village Dazan, P.O. Mand, Tehsil Tump District Kech	Kech	Missing
23	Fazal Karim	Sher Muhammad	01-Jul-2009		Quetta	Missing
24	Fazal Karim Baloch		14-Mar-2007	Village Dazan, P.O. Mand, Tehsil Tump District Kech	Kech	Missing
25	Fazaluddin		27-Sep-2009		Mastung	Missing.

Sr. No	Name of Missing Person	Parentage	Date of Missing	Address	District	Remarks
26	Ghulam Muhammad		08-Dec-2005			Traced Person (killed on 08-4-2009)
27	Ghulam Muhammad Baloch	Muhammad Ayyab Baloch	03-Dec-2006	Village Soro P.O Mund, Tehsil Mund, District Kech, Balochistan	Karachi	Traced Person
28	Gohram Saleh	Saleh Muhammad	08-Aug-2004	Javed Bharia Housing Society, St # 15, House # 49, Nawal Colony Maari Pur Road, Karachi.	Gwadar	Traced Person
29	Gul Muhammad	Haji Parthwani	18-Nov-2005		Sibi	Traced Person
30	Gul Muhammad		15-Feb-2007	Tehsil Tump, Village Malant, District Kech	Kech	Missing
31	Habib Ullah	Wadera Shahnawaz Marri	25-Sep-2006		Kohlu	Traced Person
32	Hafiz Saeed-ur-Rehman	Allah Bukhsh Mangalzai	04-07-2003	Saryab road Barma Hotel, Killi Garibabad, Farooq Tee Store Quetta	Quetta	Traced Person
33	Haji Farooq Marri		05-Jun-2006		Quetta	Missing
34	Hashim Pirkani		21-Sep-2000			Missing
35	Hassan Bugti	Haji Abdul Wahid	10-Jun-2005			Traced Person
36	Hidayatullah Bangalzai	Muhammad Akbar	03-Sep-2009			Missing
37	Ibrahim Khalil Marri	Ahmed Khan	09-Mar-2006		Kohlu	Traced Person
38	Imran Baloch		02-May-2009			Missing
39	Jaffar Khan Marri	Ali Jan	05-Jun-2006		Quetta	Missing
40	Jalal Khan Marri		21-Feb-2005			Traced Person
41	Jalil Raki Baloch	Abdul Qadeer	06-Feb-2009			Missing
42	Jasim Baloch	Saleh Muhammad	14-Mar-2007	Village Dazan, P.O. Mand, Tehsil Tump District Kech	Kech	Missing
43	Kabeer Ahmed	Ghous Bux	27-3-2009		Khuzdar	Missing
44	Kaka Marri	Pehlwan Marri	21-Oct-2006			Missing
45	Karim Bukhsh Mengal		26-Dec-2006		Gadani	Traced Person
46	Khai Jan Marri	Baz Muhammad	4-Jul-2007		Quetta	Missing
47	Khalil Ahmed Langove		09-Oct-2006		Quetta	Missing
48	Khuda Dad		26-Dec-2006		Gadani	Missing
49	Khuda-e-Rahim Baloch	Hassan Baksh	03-Aug-2007	Village Puggi, Dakhana Jungle, Tehsil Baysima, district Washuk	Washuk	Missing
50	Mir Chakar Khan Marri	Mir Taj Muhammad Murri	05-Jun-2006	Mir Taj Muhammad, PO Kohlu, Tehsil & District Kohlu.	Quetta	Traced Person
51	Mir Muhammad Marri	Ali Jan	05-Jun-2006			Missing
52	Mir Safar Khan Marri	Mir Alam khan	04-Jul-2007	Village Dazan, P.O. Mand, Tehsil Tump District Kech	Quetta	Missing

Sr. No	Name of Missing Person	Parentage	Date of Missing	Address	District	Remarks
53	Mir Samad Marri		05-Jun-2006		Quetta	Missing
54	Mir Zafar Yaqoob Noshewani	Nawabzada Yaqoob Noshewani	21-Aug-2009			Missing
55	Moheem Khan	Yar Muhammad	09-Feb-2007		Turbat	Traced Person
56	Moheem Khan Marri		03-Feb-2007	Western Bypass, New Kahan, Hazarganji, Quetta		Traced Person
57	Mr. Din Muhammad Baloch	Qadir Bakhsh	28-June-09		Khuzdar	Missing
58	Muhammad Anwar		26-Dec-2006			Traced Person
59	Muhammad Iqbal Baloch	Abdul Rehman	14-Mar-2007	Village Dazan, P.O. Mand, Tehsil Tump District Kech	Kech	Missing
60	Muhammad Sadullah Baloch	Haji Abdul Rahim	25-Aug-2009		Khuzdar	Missing
61	Muhammad Saleem Langove	Muhammad Siddique	17-Nov-2008		Quetta	Missing
62	Mujeeb Ahmed Baloch	Abdul Majeed	01-Sep-2009			Missing
63	Mushtaq Ahmed Baloch	Muhammad Ali	27-Mar-2009		Khuzdar Khattan	Missing
64	Mushtaq Ali	Rodaani	27-Mar-2009		Khuzdar	Missing
65	Najeebullah	Ghulam Qadir Kambrani	22-Oct-2009		Quetta	Missing
66	Naseer Ahmed		11-Nov-2009		Quetta	Missing
67	Nasir Ali Baloch		03-Sep-2009			Missing
68	Nawaz Ali Baloch	Ghulam Yaseen	14-Mar-2007	Village Dazan, P.O. Mand, Tehsil Tump District Kech	Kech	Missing
69	Niaz Muhammad		08-Dec-2005	Saryab Road Saryab Mill. Killi Muslimabad. Killi Birro Quetta.		Traced Person
70	Noor Ahmed Mengal	Haji Sher Muhammad	26-Dec-2006		Gadani	Traced Person
71	Noor Jan Zamurani	Muhammad Hassan Nagzamorani	09-Feb-2007	C/O Yaqoob Medical Store, Civil Hospital, Turbat Kech Balochistan	Kech	Traced Persons
72	Qadir Bukhsh		26-Dec-2006			Traced Person
73	Raza Ahmed Marri	Ahmedani Marri	28-Aug-2006			Missing
74	Razi Khan Marri	-	21-Oct-2006	Goth Kingri, Dakhana Talli, Tehsil Sibi, District, Sibi	Sibi	Traced Person
75	Rindo Khan Marri		05-Jun-2006		Quetta	Missing
76	Saeed Mengal		Mar-2008 (Approx)		Dalbandin	Missing
77	Safari Marri	Alam Khan Mandani Marri	08-Jan-2006			Traced Person
78	Saifullah	Haji Abdul Bari Ababki	15-Nov-2005	Killi Mustafaabad, Behind WAPDA Grid Station, Sariab Road, Quetta	Quetta	Missing

<b>Sr. No</b>	<b>Name of Missing Person</b>	<b>Parentage</b>	<b>Date of Missing</b>	<b>Address</b>	<b>District</b>	<b>Remarks</b>
79	<b>Sanghat Zakir Majeed Bazinjo</b>	Abdul Majeed Bazinjo	08-Jun-2009	Darneli, Dakhana Naal, Tehsil & District Khuzdar	Khuzdar	Missing
80	<b>Shah Gul Marri</b>		05-Jun-2006		Quetta	Missing
81	<b>Shari Ahmed Marri</b>		May-2006			Missing
82	<b>Surri Ahmad Khan</b>	Hajihan Marri	01-Oct-2006			<b>Traced Person</b>
83	<b>Takari Muhammad Hashim</b>	Ghulam Qadir	21-Jul-2009			Missing
84	<b>Wadera Jalal Marri</b>		06-May-2006			<b>Traced Person</b>
85	<b>Yahya Khan Marri</b>		12-Aug-2006		Quetta	Missing
86	<b>Yaqoob Marri</b>	Mirjan Tangyani Marri	03-Feb-2006		Kohlu	<b>Traced Person</b>
87	<b>Yar Muhammad</b>	Mehmood Baloch	09-Feb-2007		Turbat	<b>Traced Person</b>
88	<b>Zafar Mengal</b>		26-Dec-2006		Gadani	<b>Traced Person</b>
89	<b>Zahid Baloch</b>	Haji Ibrahim	14-Mar-2007	Moh. Baund Gah Dasht, Tehsil Dasht Sub -, District Kech	Kech	Missing
90	<b>Zahid Karim Bakhsh</b>		19-Mar-2006			<b>Traced Person</b>



## Text of Balochistan package presented in parliament

The federal government on 24 November 2009 presented the Aghaaz-e-Huqoq Balochistan to a joint sitting of parliament. Following is the text of the Aghaaz-e-Huqoq package presented by Senator Raza Rabbani.

### Preamble

"Conscious, that the provinces have a sense of deprivation, in political and economic structures of the federation;

Recalling, that the provisions of the 1973 constitution in particular relating to the federation-province relationship have been circumvented;

Stating that the financial assistance given by the present federal government in terms of Rs 4.6 billion PSDP support, Rs 2.8 billion paid as arrears of royalty for Uch pending since 1995, Rs 17.5 billion overdraft of Balochistan written off, realising that this is not a substitute to provincial autonomy;

Acknowledging, that the question of provincial autonomy needs to be revisited and the ownership of the provinces over their resources reasserted in the constitution;

Mindful, of the tumultuous history of the province of Balochistan in the affairs of the federation;

Placing on Record that the present federal government has withdrawn cases and released political workers and helped in identifying the places of detention and release of some of the missing persons;

Determined, to correct the wrongs of history, by conferring the political, economic and cultural rights of the provinces, so that the federation may blossom, and;

Recalling, the documents made from time to time, namely The Shaheed Mohtarma Benazir Bhutto Reconciliation Committee Papers, the interim reports of the Wasim Sajjad and Mushahid Hussain Sayed committees of the Parliamentary Committee on Balochistan, headed by Chaudhary Shujaat, proposals made by the Balochistan chief secretary and the proposals of Mian Raza Rabbani.

The following "proposals" are made:

### A. Constitutional-related matters

1. Constitutional Reform: In terms of the resolutions passed by parliament, the speaker has constituted a parliamentary committee. The said committee has commenced work of considering various amendments in the constitution, including on provincial autonomy, this should be immediately addressed;

2. Constitutional Reform: The quantum, form and scope of provincial autonomy will be determined by the Parliamentary Committee on Constitutional Reforms, which represents all shades of political opinion in parliament. The following provisions of the constitution on provincial autonomy are under consideration of the committee; (i) Deletion of the Concurrent List from the Fourth Schedule of the Constitution; (ii) Deletion of the Police Order, 2002 and The Balochistan Local Government Ordinance, 2001 from the Sixth Schedule of the Constitution; (iii) Effective implementation of Article 153 of the constitution, Council of Common Interests; (iv) Implementation of Article 160 of the constitution, NFC Award; (v) Implementation of articles 154, 155, 156, 157, 158 and 159 of the constitution.

3. Restructuring of the NFC Award criteria: In the past, the formula was based on population. This has been changed and other criteria such as inverse population ratio, backwardness, poverty and resource generation need to be taken into consideration.

### B. Politically-related matters

4. Release of Political Workers: The federal government in consultation with the provincial government should immediately release all political workers, except those charged under heinous crimes;

5. Political Dialogue: Immediate to the acceptance of all the proposals contained herein, initiation of a political dialogue with all major stakeholders in the political spectrum of the province, to bring them into the mainstream politics.

6. Return of Exiles: The political exiles who return to Pakistan will be facilitated. (Except those involved in acts of terrorism).

7. Provincial Assembly Resolutions: The unanimously passed resolutions of the assembly from 2002 until date, related to the province, be

implemented within the legal framework of the constitution.

8. Local Government: The Balochistan Local Government Ordinance needs to be amended by the provincial government keeping in view the administrative needs of the province.

### **C. Administratively-related matters**

9. Operations by Federal Agencies: The federal government should immediately review the role of federal agencies in the province and stop all such operations that are not related to the pursuit of fighting terrorism;

10. Construction of Cantonments: The federal government should announce, that the presence of the army in Sui will be withdrawn and replaced by the FC in pursuit of peace in the present situation. Proposals should not be formulated for the construction of new cantonments except in frontier areas, wherever required;

11. Commission: A commission should be constituted in respect of the missing persons. The commission should be headed by sitting member of the superior judiciary from Balochistan, including the federal defence, interior ministers and the home minister of the province. The proceedings of such a commission shall be held in camera.

12. Missing Persons: The names of missing persons be identified and following actions be taken immediately, after verification, in any case, if they are found to be in custody. (i) Those persons against whom there are no charges be released. (ii) Those persons against whom there are charges be brought before a court of competent jurisdiction within seven days for trial (effective from the date of promulgation of commission). (iii) Such persons be allowed legal consul of their choice, the government should assist them in this regard in accordance with law. (iv) Family members of such persons be informed accordingly and allowed visiting rights.

13. Judicial Inquiry: Judicial inquiry by the superior judiciary be ordered by the federal government to inquire into:

a. Murder of Baloch political workers, Ghulam Muhammad, Lala Munir and Munir Ahmed.

B. Target killing in the province.

14. Nawab Akbar Bugti Shaheed: A fact-finding commission, headed by a retired judge of the Supreme or High Court be constituted, to determine

the circumstances leading to the death of Nawab Akbar Bugti Shaheed.

15. New Army Cantonments: Construction of new cantonments in Sui and Kohlu be stopped for the time being. Army will be withdrawn from Sui after handing over the duties to FC. FC will also takeover the already constructed Cantonment at Sui.

16. Conversion Of "B" Areas Into "A" Areas: In view of the decision of the provincial government, the policy of conversion of "B" areas into "A" areas may be reviewed from time to time. Urban areas may have regular police.

17. The Role Of Civil Armed Forces:

(i) Frontier Corps; The role of the FC in law enforcement shall be under the chief minister of the province. The powers conferred under the Customs Act shall be withdrawn, (ii) Coast Guard; The CG should perform its primary duty of checking smuggling of arms and narcotics along the coast and the border. The check posts established beyond their territorial limits as prescribed under the law shall be dismantled. An exercise of delimitation of the border areas needs to be undertaken by the federal government, provincial government and the Frontier Corps to give effect to the aforesaid.

18. Check Posts: The various check posts established by the civil armed forces and other related agencies, other than border areas should be in accordance with the directions of the provincial government.

19. Judicial Inquiry: here should be a judicial enquiry by the superior judiciary into the allotment of land at Gwadar,

20. Flood Relief: Some monies are due on the federal government for the flood-affected people of Balochistan, these amounts should be released.

21. Education: Balochistan be given a special quota of scholarships by the Higher Education Commission so that students of the province can pursue studies leading up to local or foreign Masters and PhDs.

### **D. Economically-related matters**

22. Rationalisation of The Royalty Formula:

(i) Rationalization of the royalty formula and the Gas Development Surcharge have been done, (ii) The concept of public-private ownership in the areas of a district granted for exploration should be followed. Where contracts are awarded, the said district should

be given 15% of revenue to be received by the provincial government, (iii) Due representation should be given to the province on the boards of the PPL; OGDC and Sui Southern Gas, (iv) Distribution companies should be obligated under contract/law to provide on priority basis gas to the district where it is explored, (v) In case of a successful find the federal government shall spend an amount equivalent to 10% of the net profits on development projects in the area. The ascertainment of profits shall be open to scrutiny by independent/third party auditors, (vi) The federal government has released the accrued Production Bonus to the districts producing oil and gas. This policy will be strictly implemented.

#### 23. Mega Projects:

(i) All new mega projects to be initiated with the consent and approval of the provincial government. The share of the province in its profits/benefits to be assured in the contract/agreement, (ii) The concept of public-private ownership in such projects to be followed where ever possible, (iii) In Gwadar, there shall be a free economic zone and political activities in the said zone may be regulated by an appropriate law to be framed in consultation with all the stakeholders, (iv) In Gwadar, all or as far as possible, appointments in BS-1 to 16, should be from the local population, (v) In Gwadar, the local youth should be provided technical training and absorbed in GPA, GDA and Special Economic Zone, (vi) Preference should be given to the qualified local contractors while awarding contracts related to the port, (vii) Compensation and reallocation of all those fishermen, who are being displaced due to the Gwadar Port must be finalised immediately, (ix) The two jetties agreed to be constructed for the fishermen on the eastern and western bays be constructed, (x) A fisheries training centre as required to be established under the 9th Five Year Plan for Balochistan be constructed, (xi) A portion of the revenue collected by the Gwadar Port Authority be allocated for the development of the province, (xii) The chief minister shall be the ex-officio chairman of the Gwadar Development Authority and there shall be seven members from the province on the Board of Directors, (xiii) The provincial government of Balochistan will nominate a person duly qualified to be the Chairman of the Gwadar Development Authority.

#### 24. SUI:

(i) There should be a special development package for the area. (ii) The armed forces should be systematically withdrawn from the area.

#### 25. Employment Opportunities:

(a) The federal government will create, with immediate effect, five thousand additional jobs for the province, (b) (i) The quota for the province as

prescribed in the rules/law for employment in government (specially foreign service), semi-government, autonomous/semi-autonomous, corporations and bodies must be strictly complied with. Deficiency if any, needs to be met in a proactive manner, (ii) The Overseas Employment Foundation needs to facilitate the recruitment of skilled or unskilled labour for employment aboard, (iii) The local people living along the coast who meet the criteria should be given jobs in the Coast Guards, (iv) The monitoring of the aforesaid shall be the responsibility of the Senate Standing Committee for Establishment.

26. Gas Development Surcharge: The federal government agrees to pay the arrears of Gas Development Surcharge from 1954 to 1991. This is a total amount of Rs 120 billion payable in 12 years.

27. Ownership in oil and gas companies: In organisations such as PPL, OGDCL and Sui Southern, the province will be able to purchase up to 20% of the right shares when offered in the open market.

28. Sandak Project: The federal government from its 30% shares in the project will immediately give 20% to the province. On completion of the project and when the foreign company withdraws, the project shall be owned exclusively by the province.

29. Uniform Price of Gas: There shall be a uniform price of gas throughout the country for the purpose of calculation of GDS.


30. Fishing Trawlers: Fishing trawlers should be restricted to the authorised limits of 33 kilometres from the coast. This will help promote the small fishermen.

31. Kohlu District: Special incentives should be given to the local tribes to facilitate exploration in the area, which continues to be closed due to security concerns.

32. Poverty Alleviation: In all poverty alleviation schemes, the allocation of the province should be proportional to the percentage of people living below the poverty line.

#### 33. Profit Sharing In Existing Agreements:

(i) It is proposed that existing agreements on projects such as SANDAK, REKODIC and others where agreements have already been negotiated, the federal government may reconsider the agreements concerning the sharing of income, profits or royalty between the federal government and the provincial government.



34. Dera Bugti Internally Displaced Persons: The federal government for the rehabilitation and settlement of the IDPs shall provide a sum of Rs 1 billion.

35. Water Management: The federal government shall immediately undertake schemes, which include the construction of small dams throughout the province but particularly in the districts of Quetta, Pasheen, Qila Abdullah, Qila Saifullah, Zhob etc.

#### **E. Monitoring mechanism**

36. Parliamentary Committee on National Security: It is proposed that the federal government, provincial government and other departments/agencies involved in the implementation of the proposals shall brief the Parliamentary Committee on National Security on the status of implementation on a monthly bases.

37. Parliament: The federal government and the provincial government shall every three months lay a report before both Houses of parliament, separately, on the state of implementation of the proposals. The two Houses shall separately allocate appropriate time for discussion on the said report.

38. The Standing Committee on Establishment Of The Senate Of Pakistan: The Standing Committee on Establishment of the Senate shall present a report every three months on Item No 25. The Senate chairman, after the report has been laid in the Senate, transmit the same to the speaker, National Assembly of Pakistan, for information of that House.

39. Certification: The federal minister for inter-provincial coordination shall at the end of each financial year certify to both the Houses of parliament separately, the amount of monies spent for the implementation of these proposals.