

GRIEF UNTOLD

*Research conducted by Defence of
Human Rights Pakistan,
highlighting miseries & agonies of
women family members of the
involuntary disappeared*

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A Word By Chairperson

What are the effects on and rights violated of the women relatives of the victims of enforced disappearance?

As the research questions suggests this report deals with the feelings, problems, miseries and agonies of the emotionally ruined and economically devastated women family members of the disappeared. It is a unique study, first of its kind in Pakistan, discussing the implications of the War on Terror on women family members of enforced disappeared person, also known as the ghost prisoners. At this historical point, when DHR is publishing its first ever research Report, I would like to pay tribute and special thanks to Asian Federation Against Involuntary Disappearances (AFAD -a coalition of 14 organizations in Asian countries) for providing DHR both the capacity building and trainings for being able to write and document this research. The inspiring personality of Mr Khurram Parvez, chairperson of AFAD, always motivated DHR for research projects. It is lamented that at the time of launching of this book report named "Grief Untold" the chairperson AFAD is in the unjust detention by Indian authorities in Kot Bhalwal Jail, Jammu & Kashmir under Public Safety Act.

Mary Aileen Bacalso the Secretary general of AFAD guided us throughout and helped in providing necessary trainings which are prerequisite of such like reports. We are extremely thankful to Aileen and in fact to the whole AFAD secretariat.

I would specially like to thank members/volunteers and researchers of DHR-the unsung heroes, who worked hard at the face of all hostilities and fears, went on with their struggle in spite of all the challenges, tortures and persecution, travelled far and near for interviews of the 100 families of the disappeared, took pains in contributing in one way or the other in the formation of this book. Their names are Mr Kamran Minhas, Mr Muhammad Furqan, Mr Aftab Ali Shah, Mr K Asif Ahmed, Mr Waqas Zahid Khan, Mr Amir Mehmood, Ms Shehla Seemab, Ms Naila Ayub and Ms Nimra Huq.

The name of Ms Mehar Munir, an alumni of Lums University; cannot be forgotten for preparing the draft and going through the tedious process of editing this research again and again. I congratulate and thank her from the bottom of my heart.

I thank and congratulate every single family associated with DHR and all the brave and courageous women sufferers of Enforced Disappearance for the publication of this research which is going to lift the veil from their woes and griefs and show it to the world conscience. It is up to the conscience of the world to respond and reach out to these burning souls. Help them now!! It's the cry of my heart.

Myself being the victim-turned-activist of the enforced disappearance am struggling to get a single glance of my enforced disappeared husband, Masood Janjua, for the last 11 years. Knowing too well the piercing grief and horrors of loneliness associated with having a disappeared life partner I dedicate my life to struggle for the disappeared and pray for the ultimate strength, success and honor of women like myself.

Amina Masood Janjua
Chairperson,
Defence of Human Rights

EXECUTIVE SUMMARY

September 11th, 2001, was more than a tragedy. It was the epicenter of an earthquake that unfolded not just in space, but in time as well. And continues to unfold today. Among the casualties of this earthquake are both people and institutions. One institution that has particularly suffered across the globe in the wake of the 2001 atrocities is human rights.

In the context of the War on Terror, Pakistani authorities were encouraged by the United States to conduct raids, operations, target killing, surgical strikes and illegal abductions. These were mostly covert operations conducted by local instruments to appease western allies.

This research presents an insight into the problems (socio-economic, medical, and emotional) suffered by the women who are closely related to the disappeared citizens of Pakistan, most of whom belong to Punjab and Khyber Pakhtoonkhwa.

A hundred families were visited in these two provinces by the Defence of Human Rights team, and detailed interviews of female family members were conducted. Conversations with affected families reveal that an overwhelmingly large percentage (nearly ninety percent) of women with disappeared family members are living in conditions of economic deprivation, and extreme emotional hardship. Many of these women suffer from anxiety, depression, stress, high blood pressure, diabetes, hysteria and other psychological disorders.

These ruined households, it seems, have been completely forgotten by the government; no steps have ever been taken to rehabilitate them in any way.

DHR has been holding protest camps, rallies, seminars and press conferences to demand for the fulfillment of the rights of the disappeared and their families. However, both military and democratic governments have turned a blind eye to the issue. Having deprived many middle class families of their primary earners (in many cases sole earners), it is just like criminal negligence of the government, in context of constitutional guarantees, to be unaware of the issues facing the women and children who have been affected by the phenomenon of enforced disappearances. The health, economic, social; emotional, psychosocial challenges faced by the families of the disappeared have only grown worse over the years.

According to Articles 32, 34, 37e, 38a and 38d of the constitution of Pakistan “The state shall protect marriage, family, mother and the child.....” This document includes descriptions of the situations of twenty affected families. As shall be abundantly clear that what they are going through is contrary to the following national and international frameworks: the constitution of Pakistan, Islamic rights of women, ICCPR, ICESCR, the Universal Declaration of Human Rights, 1992 Declaration against enforced disappearance and convention passed by the UN relating to the rights of women (CEDAW).

The possibility of creating new laws will be discussed as well, and policies and programs for rehabilitation will also be suggested for consideration by the government and other civil society actors.

This is an attempt to initiate a process whereby the lives of the women affected by enforced disappearances can be returned to a normal state to the largest extent possible. One of the most urgent needs that this research seeks to address is the provision of counseling and rehabilitation to disappeared citizens' families.

Only if they are mentally stable and fully functional, will the women left behind by the victims of enforced disappearances, be able to take up the challenge of struggling for truth and justice, taking care of their children, providing them with an education, and to earn a living for her family.

1 INTRODUCTION

1.1 Background of Enforced Disappearances in Pakistan

Human rights groups estimate that more than eight thousand people have disappeared in the wake of the US led War on Terror. These disappearances, however, have not been lamented instead they have been celebrated. Former Minister of Interior, Aftab Ahmed Khan Sherpao, proudly confessed (during a UK seminar on the War on Terror on 18th April 2007), that 4000 citizens had been arrested in the War on Terror, of which 2000 were handed over to the US. Similarly, former President Pervez Musharaf declared in his autobiography, "In the line of Fire" that 689 Pakistanis had been arrested and 369 of those had been handed over to the US.

Former Chief of the Army staff stated in a press briefing, that there are approximately 3000 detainees being held in internment centers. The Chief explained that as there are no laws under which they can be detained and releasing them is not an option. They are therefore interned in Internment Centers. This statement of his was before the introduction of amendment in Constitution to facilitate military courts and Protection of Pakistan Act which provide legal cover to enforced disappearance. The tragic part of the story is that even after obtaining complete impunity the armed forces keep persons enforced disappeared instead of declaring them under the new laws.

The DHR has registered above 2300 cases of enforced disappearances. Although the government denied involvement in the cases registered with the DHR, approximately 800 people were acknowledged, traced and released over the last ten years.

Clearly, the government has too often resorted to violation of human rights, which, in some cases were justified by arbitrary legislative measures such as making amendments to the Constitution and Army Act providing for military courts, Pakistan Protection Act. Action (in aid to civil power) Regulations were promulgated 2011 with retrospective to legalize enforced disappearances. Even the Supreme Judiciary gave a verdict in favour of Army courts and secret trials in 2015.

1.2 The Family in Pakistani Culture

*"Among His signs is that He created for you are mates from among yourselves that you may dwell in tranquility with them, and He has put love and mercy between your (hearts); verily that are signs for those who reflect."*¹

*"The family is the natural and fundamental group unit of society and is entitled to protection by society and the State."*²

As an institution, the family is integral to the well-being of both the society and the individual. Religious and secular laws exist throughout the world to uphold and protect the family, the importance and sanctity of which are recognized by international law as well. Unfortunately the peace and tranquility of many Pakistani families was deeply violated in the wake of 9/11. The veil of protection of life, property and liberty became perforated and bloodshed, disappearances, attacks, raids, abductions and extra-judicial killings became the norm that many families had to grapple with.

¹ Noble Quran 30:20, 30:21

² UNDHR, Article 16

Another relevant article is Article 17:

1. No one shall be subjected to arbitrary or unlawful interference with his privacy, family, home or correspondence, nor to unlawful attacks on his honour and reputation.

Women suffered and continue to suffer the most as a result of these atrocities. In the traditional Pakistani household, it is the adult male member who is both the breadwinner and the head of the family. In the absence of such members (i.e., fathers, brothers, sons and husbands), not only do the women and children of the household undergo severe emotional trauma, their survival itself becomes uncertain.

General comment on women affected by enforced disappearances adopted by the Working Group on Enforced or Involuntary Disappearances at its ninety-eighth session (31 Oct 12 - 9 Nov 12).¹

The application of the principle of gender equality requires a full understanding of the different roles and expectations of the genders to effectively overcome issues that hinder the attainment of gender equality and full enjoyment of women's rights. The Working Group on Enforced and Involuntary Disappearances recognizes that women and girls are victims of enforced disappearance as disappeared persons, as relatives of someone who has disappeared or as any other person suffering harm as a result of an enforced disappearance. The experience of the Working Group demonstrates that the effects of enforced disappearances are lived and faced in different ways by women and girls due to gender roles, which are deeply embedded in history, tradition, religion and culture. A gender perspective should be incorporated in all measures, including legislative, administrative, and judicial taken by States when dealing with enforced disappearance. Gender equality in the area of enforced disappearances primarily requires that all individuals, regardless of their sex or gender, enjoy without discrimination the rights enshrined in at least three major HR instruments i.e. the 1992 Declaration against Enforced Disappearances (hereinafter: the "Declaration") and CEDAW and ICCPR. The Working Group recognizes that women play a fundamental role in securing and advancing the rights of disappeared persons. In particular, from its experience the Working Group recognizes that women are often at the forefront of the struggle against enforced disappearances. They often form organizations and associations to establish the circumstances of enforced disappearances and the fate of disappeared persons and to assist victims themselves. The Working Group recalls that the Human Rights Council in its resolution 7/12 requested the Working Group to apply a gender perspective in its work, including in collecting information and in formulating recommendations. The Working Group adopts this general comment to explain and facilitate the full implementation of the provisions of the Declaration from a gender equality perspective.

Socio-Economic Practices and Cultural Norms

The cultural context of Pakistan is important to understand. Families often practice a joint system characterized by multiple closely related families living under one roof. After getting married, the daughters go to live with their husbands, but the sons remain in the parents' house even after getting married and having children of their own. Within this system, women often adopt the roles of care takers and mediators. They are responsible for the upbringing of the children, for the smooth running of the household, and for the maintenance of harmony and cooperation in the family.

Most women neither have the skills and experience required for working outside the home, nor do they harbor any desire to be employed. Therefore, when suddenly forced to work for a living due to

¹ http://ap.ohchr.org/documents/alldocs.aspx?doc_id=21220

the enforced disappearance of the husband, many women are traumatized, distressed, and unable to earn enough to meet her own and her family's basic needs. Moreover, they are even more deeply affected by workplace harassment than women who are living in otherwise normal circumstances.

Due to societal norms and family pressure, some women are not able to work at all, even if her husband is the victim of enforced disappearances, and the family has no source of income. In such situations, women are either forced to sever ties with friends and family in order to work and earn money, or become dependent on them. Already agonized by the disappearance of her husband, both options are psychologically damaging for the women who are compelled to make such choices. The disappearance of the husband disrupts the joint family system in such a way that the wife of the disappeared often finds herself unwelcome in both her disappeared husband's home, and in her parents' home.

In such circumstances, it is not surprising that some women resort to extreme measures. Khalida, daughter-in-law of Naseer who worked as a guard in Swat for former Chief Justice Mr Nasir ulMulk, grew tired of hearing her children nagging and crying for food, and shot herself. She sustained serious injuries, but her life was saved. This example illustrates how unbearable the circumstances of women affected by enforced disappearances are, and how important it is to provide them with economic and psychological support.

Psychiatric Illnesses

During the interviews conducted by the DHR team, they met women who were suffering from depression, women who were fighting a losing battle against anxiety, women who were prone to fits of hysteria, and women who screamed and fainted while trying to narrate their story. The psychological effects of enforced disappearance also deepen the burden on women.

Instead of providing support to affected families, the state often persecutes them. When they try to protest against enforced disappearances, family members are openly and mercilessly subjected to harassment and violence. On April 28th 2014, for instance, the wives, daughters and mothers of the disappeared were beaten and tear-gassed. Even elderly women were punched and dragged along the roads by female police officers.

1.3 Research Question

What are the effects on and rights violated of the women relatives of the victims of enforced disappearance?

1.4 Framework

The framework used in this research report is international human rights law.

1.5 Research Objectives

To create social, economic and psychological profiles of the women relatives of the disappeared.

To determine the human rights violations against women relatives of the disappeared.

To develop recommendations on how the government of Pakistan can provide empowerment, social and economic protection and psychosocial support to the women relatives of the disappeared.

Children and their Deprivations

This topic requires an independent study but it is briefly touched here because the negative effects of enforced disappearance on children have direct implications on women. The data clearly indicates that many children suffer directly due to the phenomenon of enforced disappearances. They are deprived both of the love of a parent, and of financial security. Their education and standard of living are gravely affected.

The children growing up in households affected by enforced disappearances are, in most cases, deeply troubled and display clear signs of depression, anxiety and post traumatic stress disorder. In addition to having their education interrupted, these children are doomed to suffer in silence from various types of psychiatric ailments. Their mother has neither the emotional stamina nor the resources to ensure that her children receive treatment and counseling, and no external support or rehabilitation system exists to take care of such children.

Huzaifa's father was abducted before he was born. Huzaifa is a sensitive child who has grown up witnessing the trauma his mother and elder brother are going through. He likes to express himself through art. In Huzaifa's opinion, enforced disappearances are the most brutal form of terrorism, and he hopes that the Government of Pakistan will stop the practice of disappearing people.

The picture below shows another child, Abaid-ur-Rehman, who is growing up in extremely similar circumstances.





Moeza Noor, Niece of Attiqu-ur-Rehman

Atiq-ur-Rehman S/o Siddique-ur-Rehman**Date of Disappearance: June 24, 2004****Place of Disappearance: Abbottabad, KP, Pakistan**

Atiq has six sisters and one brother. He completed his primary education from his hometown, Abbottabad. According to his school teachers Atiq was an extraordinarily bright student. He completed his higher studies from Pehsawar, where he obtained a PhD in Physics. After completing his education Atiq started working in the Atomic Energy Commission as Scientific Officer.

Events leading to and following the disappearance:

Evening of 25th, June 2004 had been set as Atiq's wedding day. In the morning he went to the market to take care of some errands where he was picked up by unknown, plain clothe men who belonged to a security agency. When his family tried to contact him, they found that his cell was switched off. They contacted other relatives but no one knew Atiq's whereabouts. The family started to search for him in hospitals and police stations but to no avail. His sister, Hajra recalled while talking to DHR that after a couple of days they approached the police to launch a missing report. They were able to file an FIR, but with great difficulty as the police insisted that Mr. Atiq-ur-Rehman was with the (secret) agencies. When Amina Masood Janjua started a movement against enforced disappearances, the family joined her movement.

Legal Status:

The family met with Mr Rao Sikandar Iqbal, then Minister of Defense, who sent them to D.I.G police. The D.I.G returned the minster's visiting card saying, "Your son is with Mr. Rao Sikandar.", implying involvement of security forces, "Why is he sending you to us?" Atiq-ur-Rehman's mother also met Fasial Saleh Hayat, who was Interior Minister at that time. After his inquiry Mr Hayat told the family that Mr. Atiq-ur-Rehman was with the agencies, so nothing could be done.

Distraught, the family consulted army officers, who advised them to keep quiet and wait, and warned them against legal action. The family contacted the press and published the case in the newspapers. Two years passed without any news of Atiq. At last, in June 2006, the family filed a suit in the High Court. In September 2006 the DHR was able to move the Supreme Court of Pakistan regarding Atiq's disappearance. The local police had found a clue of the involvement of agencies in his disappearance. The case was in a decisive position when emergency was imposed by then Military dictator General Pervez Musharaf and courts were suspended. Atiq's case went into oblivion like many others.

Atiq is still missing. His case (case reference HRC 965/2005) has not appeared on Supreme Court's docket since years. His six sisters and mother continue to wait for him. Atiq's mother protested actively and tirelessly against enforced disappearances till 2014. Now she is seriously ill and bed-ridden. Atiq's father, meanwhile, has become mentally unstable, as well as blind.



I want this terrorism of capturing people should be stopped
because it is important to keep Pakistan unbeatable. My father is a
missing person before I was born. I just heard about him and I only saw
his picture. I wonder where is my father? How is he and
what is he doing? I want my father back. Only not that
there are many more people in the world who are doing
this should give us back the missing persons. The
people who capture other people should be punished.

Huzaifa, Son of Dr. Abid Sharif

Dr. Abid Sharif and Mansoor Mehdi

Date of Disappearance: September 16, 2005

Place of Disappearance: Peshawar, KP, Pakistan

Dr. Abid Sharif was a pediatric doctor working in the District Head Quarter Hospital, Taxila. He had two sons and his wife was pregnant with a third when he and Mansoor Mehdi, a bachelor's student, decided to arrange a free medical camp. On the morning of 16th September, 2005, both men boarded a public transport bus for Peshawar. Both of them disappeared without a trace.

Mansoor Mehdi was the eldest of three brothers. Both Dr. Abid Sharif and Mansoor Mehdi lived in Rawalpindi R.A Bazar in cantonment area. The families of the two men failed to obtain any news about them. At last some friends who belonged to the military unofficially informed the families that both men were stopped by the Frontier Corps, and had been handed over to the secret agency.

Members of the police raised their hands in helplessness each time they were approached by the two families. Then DHR filed their joint petition in the Supreme Court and also in the Commission of Inquiry.

The case proceedings went on and off according to the ups and downs of the country's political and judicial crises. It is still pending in the Supreme Court bearing case number CMA 76/2010 of HRC 965/2005. Over the years it was confirmed, unofficially, that Dr. Abid Sharif is being detained by the agencies, but no tangible proof could be obtained. DHR was able to win monthly financial assistance from the Government for both families, as well as pension for Dr. Abid Sharif (a government servant).

The Doctor's wife, Zahida, and Mansoor's Mother, Arifa, are active campaigners for the Defence of Human Rights. They both believe that Dr. Abid and Mansoor are victims, like many others, of the "War on Terror". The baby boy born to Dr. Abid's wife after his disappearance, Huzaifa Sharif, is now 9 years old.

Both families are determined to continue the search for their loved ones, for as long as they are alive.



Zahida Bibi, Wife of Syed Dolat Shah

Date of Disappearance: November 15, 2011

Place of Disappearance: Swat, KP, Pakistan

"They locked me and my daughter-in-law in a room. I was hearing shouts; they were beating my husband and sons, and abusing them."

Zahida wife of Dolat Shah mentions how she was living happily with her family. "Everything was going smoothly. My kids were grown up; they were studying at high school and college. My husband was very caring. So called Military operation in Swat KPK, against Taliban was the turning point of my life. Due to this Military operation, I have lost my husband and my three sons were enforced disappeared and they are still missing."

"It was 15 th November 2011, worst day of my life. I was having dinner with my family. I heard someone was knocking at the door. I went and opened the door. Around 60 to 70 army personnel were standing outside. All of them were in uniform and fully equipped with weapons. I got scared. One of them ordered, get aside. Then they entered in my house. One of them was shouting, where is your younger son? He is inside, I responded. He came out, then they asked for younger than him, "This is the youngest one", I answered. They locked me and my daughter in law in a room. I was hearing shouts; they were beating my husband and son, and abusing them."

They took my husband and son with them. I was alone with my daughter in law. A person came from our neighbours and unlocked us. Next morning I went to police station. I have told entire incident, they refused to register an FIR of my husband and son's abduction. On that evening they came again and ordered me, if I care for my life then I you have to leave this home within one hour. I was crying in front of them, but they did not bother. We left that place with our luggage. Now we are living hand to mouth in a rented house.

Abduction of oldest son Asmat Shah

Asmat Shah was married and had one son. He was 23, when he disappeared. Due to military operation, started in 2008, he left Swat and went to Karachi and started a job. I called him, and told everything what happened in the night. He informed his friend that he was going back to Swat. He left Karachi but did not reach home. A guy, Attaullah was coming with him from Karachi. They both were abducted together. Attaullah was released after two months. Attaullah informed me that my son has been abducted by the Army. He also informed, that Asmat is in Dargai interment center.

Abduction of my other son Shujaat Shah:

He was 19 at that time. He was disappeared in 2011. He was student and studying at Tipu School. Lately, with the efforts of Defence of Human Rights Pakistan, he was discovered at the Lucky Marwat internment center. I met him 3 times. He is innocent. In 3 years they haven't brought even a single charge against him. Masood shah is my youngest son. He was abducted with his father from home. His age was 17 when he disappeared. He was studying in level 8th at Tipu school swat. He is still missing and I don't know about his location.

Husband's death

It was 27th of Ramadan 2014. My nephew received a call from police station. They informed him that his uncle, Dolat Shah, has passed away. My nephew did not inform me. He said," we will meet uncle tomorrow early in the morning, police called me for a meeting". I was really happy that I will finally see my husband. It was around 1:00 am when we left for Lucky Marwat . During travel my nephew was quiet. I was worried and implored him but he remained silent. It was early morning when I was entering into the Lucky Marwat Internment center. I was happy, but there was a fear in my heart. A guy wearing white clothes came with a piece of paper and asked my nephew for the signatures. He followed him. Then my nephew told me that uncle is no more alive. I lost my senses. I was shouting, crying but it was too late. They handed over dead body of my husband. My 3 sons are still disappeared. I would like to request to our Government and Army please return them. They are not militants. They are innocent. I am alone with my daughter in law. "Is this the respect of a daughter in our country", she was crying.



Khair-ur-Rehman, Father of Abdul Rehman

Khair-ur-Rehman S/o Abdul Rehman**Date of Disappearance: February 9, 2009****Place of Disappearance: Bajour Agency, KP, Pakistan**

KhairurRehman was born and brought up in Bajour agency in Khyber Pakhtoonkhwa province of Pakistan. After receiving basic education he specialized in religious studies, memorized Quran and started work as Imam in Bilal masjid located in University town, Peshawar. He settled there with wife, one daughter and two sons. He served as Imam in the Bilal Masjid for thirteen years without a break without any irregularity. In year 2009 an Afghan refugee who used to come to worship in Bilal Masjid was acquainted with KhairurRehman. That Afghan offered KhairurRehman to live free of cost in upper portion of his house which Rehman accepted.

On 9th February 2009, within a month of KhairurRehman moving in the Afghan's house, the house was raided. Whole family of KhairurRehman including the Afghan were arrested. KhairurRehman's sister and her mentally retarded husband, who lived with KhairurRehman, were also arrested. As many as 9 members of the family were arrested. Later on sister and her husband and all others were released after nine days but KhairurRehman remained disappeared. Abdul Rehman father of the abductee is the resident of village Malangay, post office AnayatKalay Tehsil Mohmand, District Bajor Agency, FATA, he ran pillar to post and approached DHR office for relief and justice in 2012.

A case for the recovery of KhairurRehman was filed in 2012. Justice Jawwad S Khawaja was heading the 3-member bench and the case went on till 2014. During the hearings Assistant Sub Inspector Arshad was identified as one of the abductors in the raid. Supreme Court ordered a trial in a lower court. As the charge was framed Arshad took bail before arrest from the Peshawar High Court. Finally to the credit of DHR this case was won and he was declared guilty. It was proved categorically that KhairurRehman was abducted by police and later on handed over to some other secret agency. At this decisive phase when the case was at a crucial turning point unfortunately, all the cases stopped after the Justice Nasir ulMulk became the Chief Justice of Pakistan in July 2014. The Commission of Inquiry was the only option left since the closure of hearings after 24th June 2014. On 2nd February 2016 after a lapse of 1 and a half years, the case was heard in the commission of inquiry which showed its helplessness and only resorted in declaring this as a case of enforced disappearance. To date the justice remains denied to KhairurRehman and his family. KhairurRehman's little daughter remained ill for a long time and breathed her last in 2013 in the absence of her father.



Muzammil Shah, Father of Muhammad Ali

Mohammad Ali S/o Muzammil Shah

Date of Disappearance: July 3, 2007

Place of Disappearance: Islamabad, Pakistan

Muhammad Ali was 21 years old and studying in Asghar Mall College Rawalpindi as student of Masters of Economics. On 2nd July 2007 he took examination of MA Economics. The very next day a military operation against Red Mosque Islamabad started and there were a lot of women and children who were trapped inside.

As he lived nearby, he considered it his duty to help the women and children in distress. He entered the building adjacent to the mosque on 3rd July 2007 and could not come out. Till 9th July he was talking on phone to his father and telling him that they were in a great trouble as no one could leave the place. The family of 6 sisters and 3 brothers also tried to enter the mosque in order to look for Muhammad Ali but it was all surrounded by Pak Army and a big operation was going on. There was no contact with him after 9th of July.

When the Senior army officers, involved in the operation, were contacted they denied any information about him. Since that day the family is running pillar to post in search of Muhammad Ali but in vain. This case was pursued in High Court & Supreme court but no whereabouts were traced. At a certain level the commission of inquiry on enforced disappearance disposed off this case in 2012.

His mother being heart patient and very aggrieved could not take this grief and died as a result of a stroke in 2012.

After the death of mother eldest daughter Shaheena got mentally upset and started suffering with psychological disorders and fits of crying and fear. Father Muzammil Shah did not gave up and continued the medical treatment of Shaheena in spite of his poverty, as well as continued search of his son. The whereabouts of Muhammad Ali remain unknown to date.

Shaheena is still fighting with her illness and with the fate of her disappeared brother.



Jannat Bibi, Grandmother of Asif Hameed

Asif Hameed**Date of Disappearance: October 10, 2013****Place of Disappearance: Rawalpindi, Punjab, Pakistan**

Kausar, a resident of Rawalpindi, Chour-Harpal, is in her forties. It has been twenty years since she married Asif Hameed. Asif, who had always enjoyed working as a tailor, worked as an expert in tailoring coats and pants at “Amir and Son Enterprises”, a shop located on Kashmir Road in Rawalpindi. The couple was living happily with seven children although they were not financially stable.

On October 10, 2013, Asif took his five daughters and two sons along, to drop them off at his mother's home, before heading to his shop for work. Upon reaching the shop, he found some policemen and some plain clothed men waiting for him. Via phone call, Asif quickly informed his wife that some policemen were taking him with them, and that he would be back in a few days. For the next three days, Kausar kept calling Asif. At one point he picked up and said, “I am somewhere in Okara”. After that she was no longer able to reach him. During this time she received calls from unknown numbers, threatening her and telling her to remain silent.

To date the Commission of Inquiry has held around twenty hearings in three years regarding this case. However, the whereabouts of Asif are still unknown. Kausar is a victim of emotional trauma as well as economic devastation, as there is no one to earn a living for her seven children.

In December, 2015, the Superintendent of Police called Kausar and told her that the custody of Asif had been confirmed by Secret agencies.

On April 2016, Kausar diagnosed cancer in her throat, also simultaneously by her in-laws, already hostile started threatening her to leave the house. One day father-in-law started beating Kausar and her children and thrown them out of his house.

Kausar survived with the help of DHR, now living with meager resources in a rented one room home.



Bakhti-Naz, Sister of Shah Faisal

Shah Faisal**Date of Disappearance: August, 2009****Place of Disappearance: Peshawar, KP, Pakistan**

“Everything was going perfect in our life” Bakhti-Naz told her ordeal; “In April, 2008 Pak army started military operation. We left swat and went to Peshawar as IDPs. After a month one of our relatives came to us from swat. He informed us that army has picked dozens of people from our town. It was a horrible time for us. Everyone was waiting for good news of cease-fire in swat. We stayed 7 months in Peshawar. We came back to our home town in Feb, 2009.

My younger brother Shah Faisal had started his work. He got temporary work as construction laborer in a school to build the boundary wall. He was earning 500 rupees daily and that was our bread and butter. My father is an old man, he does not work. Faisal was supporting our family.

It was first week of August. He went on his work but did not come back. On that evening, we were waiting for him. My dad was asking for food, I told him that let Faisal come. He will bring food from market. It was getting dark, I tried his mobile number. It was not responding. Around 9:00 PM I left home with my younger sister. We went to that school, he was not there. School's guard informed us that, police has arrested your brother. We went to police station Kanju. Police said, “We have not arrested your brother, go back to your home”. I was crying in front of them. I resisted and said; I will not go without my brother. “We have handed over your brother to army” police inspector shouted on me. Go back to your home he will come back after some days.

With tears and fear I came back to home. I informed to my mother and dad. Everyone in family was crying. Next morning once again I went to the police station with my dad. I gave them an application for the registration of FIR. But they refused to receive our application and sent us back to home.

On that day I decided that I will not marry and support my family. My mum died after 6 months of Faisal's disappearance. We are living in a miserable condition. I do not have money for legal proceedings. We are running a small shop in my house and that is our bread and butter. I don't know why army has done this with us. I will keep searching for my brother and I am sure one day he will come back.”



Zainab, Mother of AzizUllah

AzizUllah S/o SyedUllah

Date of Disappearance: May 4, 2013

Place of Disappearance: Swat, KP, Pakistan

According to Aziz's sister Aishah and father Syedullah somebody knocked at their door at approximately 11:30 pm on the night of April 9th, 2013. When they opened the door, they saw Captain Gohar along with ten of his soldiers. They came inside without seeking permission. The Captain was not in uniform, but the rest of them were. He asked Syedullah, "Where is your son?" Syedullah told him that he was sleeping and inquired why they were looking for his son. One of the soldiers interrupted him, saying, "Don't waste our time and bring him, he will go with us". Meanwhile, Aishah's mother came out and asked, "What happened? Why are they asking for Azizullah?"

The Captain demanded the family to bring Azizullah, so his father went and brought him to where the Captain was. The Captain informed the family, "We are arresting youngsters of this street due to election; there is a chance of quarrel among political parties. We will send him back after general elections."

Aziz's mother, Zainab, requested them to spare her son, assuring them that she would not even let him leave the house till after the election. But they took him away without paying her any heed. Both Zainab and Aishah ran after the men but they threatened them, saying, "Go inside and don't tell anybody otherwise your son's life will be in danger".

The family was in great distress and did not know what to do. After two days, Zainab went to the FC (Frontier Corps) camp. She requested the gate keeper to let her see Captain Gohar Afridi. The gatekeeper agreed. However, the Captain was annoyed when he saw her and shouted, "I have told you to stay at home otherwise your son's life will be at risk". Bitterly disappointed, she returned home.

After a couple of weeks, Azizullah's father met with some leaders of the ruling parties. He met with Member National Assembly, Muraad Saeed, who belongs to the PTI (Pakistan Tehreek-e-Insaf). Saeed promised to help them. His pledges, however, proved utterly hollow. Finally, Azizullah's father contacted the Chairperson of Defence of Human Rights, Mrs Amina Masood Janjua. She registered the case of the disappeared son and the family started their struggle under her guidance.

A year passed in waiting. No news of Azizullah arrived. At 2:00 am on the night of 16th June, 2014, someone knocked on the door of the family's house. Syedullah opened the door, and saw two policemen. They said, "We want you to go with us to the Police station of Kanju, Swat." Without informing his family, he went with them.

Syedullah was terrified about what would happen next; in the month of May 14, more than 12 dead bodies of disappeared persons had been delivered in their neighborhood. He was thinking of his son.

They took Syedullah to Saidu Sharif's town hospital. A man in a white coat told him that his son was suffering from T.B, and had passed away. Syedullah told them that his son was perfectly fine, and asked to see his medical report. His request was denied. "It was unbelievably torturous for me. I asked them for an ambulance but was denied. I was crying standing on the road. No one was ready to help me. At last I brought my son's dead body home in a van. It was around 4:30 am."



Usama, Son of Abdul Jabbar

Abdul Jabbar S/o Umer Ilahi**Date of Disappearance: June 24, 2011****Place of Disappearance: Attock, Punjab, Pakistan**

Raisa is the wife of disappeared Abdul Jabbar from Attock city in Punjab. They had four children, two daughters and two younger sons. One of their sons, Osama, aged 14 was already disabled due to a lost leg. Abdul Jabbar used to take care of him and loved him more than the rest of his children.

Raisa's world changed completely on 24th June 2011, the day her husband was picked up by secret agencies from a bus stop named "SadaBahar" from Peshawar. Abdul Jabbar and his brother in law were waiting for their bus when they were picked up. A few minutes earlier, Abdul Jabbar had used his ATM card to withdraw 20,000 cash before departure. At the time of abduction, this money was also with him.

Life became increasingly difficult and painful for Raisa, who had to single-handedly take care of and provide for her children, while also struggling to get her husband freed. The disabled Osama became a patient of anxiety, and developed brain tumor as well. Raisa's ordeal worsened day by day as Osama's condition deteriorated. Her husband's case, which was registered by the DHR, was being pursued in the highest forum of the Supreme Court.

On 5th November, 2012, Osama breathed his last in a private hospital in Rawalpindi, after having undergone five brain surgeries.

Raisa, shocked and traumatized, went on with her struggle for finding her disappeared husband. Finally the DHR's efforts bore fruit; the Supreme Court was able to secure the release of Abdul Jabbar on 14th April, 2013. Raisa was overjoyed but at the same time unable to face her husband due to the fact that Osama was no longer there to welcome his disappeared father.

In the absence of a breadwinner, Raisa had borrowed Rupees 11 lacs for the treatment of Osama. When Abdul Jabbar returned, he was suffering from poor mental and physical health, but due to lack of funds there was no way of providing him medical treatment and psychological rehabilitation.

On April 12, 2016, exactly three years after return of Raisa's husband he was picked up again from a shop where he was working part time to earn a living. To date there is no trace of him, although his ailments were too many and doctor had recommended arm's surgery to him



Gulnaz, Sister of Falak-Naz

Falak Naz S/o Fazal-ur-Rehman

Date of Disappearance: September 16, 2009

Place of Disappearance: Swat, KP, Pakistan

Falaknaz was 18, when he was picked up by Armed forces. He was student of Bachelors. Along with studies he offered tuition for a living. Father is an old man and he was supporting him. Father told the story in these words... "He was really kind and hard working person. I felt very strong with him. Alas armed forces snatched my only support, and now no one is here to help me".

Falaknaz was disappeared on 16th September 2009 when he went to Mengora (capital of swat) to purchase grocery. I called on his number, but it was switched off. I was worried about my son. I started to search for him could find no clue. Then one day I received a call from Mr. Aziz Khan who was then SHO (Station House Officer) of police station Mengora. He informed me that my son has been picked up by Army. "I cannot help you in this regards" police inspector said.

After 17 days of his disappearance, he called me on my mobile. He told that he does not know about the location but it was an army's camp. He also asked me to bring two members of Peace Committee for his release. I was happy and very hope full after talking to him. I met with members of peace committee and informed them about his call but they refused to help me.

Once an army personnel came to me unofficially and told me that your son is innocent. I tried on my own and went to different army units and camps. But no one took responsibility for the arrest of my son. But I knew that army has abducted hundreds of innocent persons after military operation. Most of them never returned.

I sent several letters and applications to different army units and camps. They never replied. Then I sent an application to Chief of Army staff but there was no reply to that as well. I started lobbying with political parties. I wrote to Imran Khan, Chief of ruling party in our province, but he did not help me. Now I am loosing hope, because I am hearing news that people are receiving dead bodies of their loved ones who had been disappeared. My wife is getting mentally ill. She always cries and asks for her son but I do not have an answer.

I am in pain for the past 6 years. No one is helping me. He is an innocent person. I would like to request to responsible authorities to please produce him in front of the court if he has done anything wrong. But please don't keep him missing.





Bakhfoori Reha, Mother of Mr. Sardar Ahmad

Sardar Ahmad

Date of Disappearance: 2008

Place of Disappearance: Swat, KP, Pakistan

Ms. Bakhfoori is an old lady who lives in Sirsina, a town of District Swat. She has five daughters and five sons. Sardar Ahmad was 38 years old when he disappeared. He has 3 kids. His younger daughter, Muneeba, has never seen her father.

Ms. Bakhfoori recounted her story to DHR team in following words: "We left our home in 2008, when the military started an operation in Swat. We migrated to Peshawar as IDPs (internally displaced persons). Our life was very difficult there. We spent three months in Peshawar. Sardar Ahmad was not happy and he decided to come back.

It was not easy for us to go back to the war zone, but my son was worried about our home and fields. It was really painful to see our home when we returned, as it had been destroyed by the army. My son was very annoyed. "I will ask the army why they have done this," he said. I had to argue with him to stop him from going to the army because we were scared.

"One day, his younger son was suffering from high fever. He wanted to take him to the hospital, but could not do so because of the curfew that had been imposed by the army. Sardar went out despite the shelling and firing. He went straight to the army camp. Major Khurram shouted at him, asking why he had come out. "My son is suffering from high fever", he answered. Major Khurram arrested him. He has been missing since that day. My husband went after him but Major Khurram said that he would not be released him.

"I went to the internment centers of Dargai and Barikot. They said they do not have my son. I have given several applications to the Commissioner of Swat." Sardar Ahmad remains disappeared to date.





Hakeem Zada**Date of Disappearance: October, 2008****Place of Disappearance: Mardan, KP, Pakistan**

Shaheen told her painful story in the following words, "We got married in 2004. Hakeem Zada was a religious man and he was the Imam of a Mosque in Jamia Masjid Kabal, a town of Swat district. Everything was fine in our life. He was also teaching the Holy Quran to kids in that Mosque. Our family migrated to Mardan, another city of KPK, in 2008, when the military operation in Swat began.

"Hakeem Zada remained in Kabal, Swat, due to his duties in the Mosque. I was worried about him. I called him and asked him to leave that place and come to Mardan. He agreed to leave Kabal. In October 2008, he left Kabal and started travelling towards Mardan. According to eyewitnesses he stopped at a restaurant located just outside Kabal for lunch. As he was having lunch, army personnel approached him and asked him who he was, so he introduced himself. They then asked him if he lived there. Hakeem Zada got scared and lied to them, saying that he did live there.

"Upon finding out from the restaurant's manager that he did not know Hakeem Zada, the army forcefully took him away. He has been missing since then. I was waiting for him. I tried calling him but his mobile was switched off. The very next day, I left for Kabal with my family. We went to the Mosque, but he was not there. Then we went to our home in Kabal, but we did not find him there either. In the evening, two persons of my village came to our house and informed us about the entire episode. The next day we went to an army unit, but they said, "We haven't picked your husband". I haven't heard from him since seven years.

"I have three kids, Abdul Rehman and Aziz urRehman, but I have no means to feed them. My younger son, Aziz-ur-Rehman, was born after my husband's disappearance. We are living in miserable conditions. Sometimes we sleep without food. I don't know what crime my husband had committed."





Nasreen, Wife of Imran

Date of Disappearance: October 20, 2015

Place of Disappearance: Rawalpindi, Punjab, Pakistan

Imran S/o Noor Muhammad was a taxi driver in Rawalpindi. He went to his village along with his family in October 2015. A few days later his house was raided in Mohmand Agency and he was whisked away in front of his wife Nasreen, a sister, a 12 years old daughter and son Salman, only 3 and half years old. This little boy is sick and psychologically disturbed since the day of incident. Elders of the family, trying to console him, have written his father's name on his palm to which he keeps kissing all day long.

Since that day old parents, brothers and sisters, wife and 7 children are in acute agony and pain. Security forces of Mohmand out rightly deny the incident. No whereabouts are known to date. DHR has requested the government to honor the respectable citizens of Pakistan and return the father of 7 and the breadwinner of the family immediately.



Grandmother of Khalid Mehmood

Khalid Mehmood

Date of Disappearance: October 13, 2015

Place of Disappearance: Attock, Punjab, Pakistan

Khalid Mehmood had a shop in Attock city. At 2 AM on 13th October, 2015, masked security officials raided his home. Some of them beat Khalid Mehmood while the others violently searched his house.

They grabbed Khalid Mehmood's son named Atta-ur-Rehman and his two nephews, Muhammad Faizan and Muhammad Nauman, as well. They beat all four of them, handcuffed them and took them away. They also took two computers, six mobile phones, all passports, ID cards and other important documents from the house.

Local police denied knowing anything about the masked officials, and did not register an FIR. The whole family was terrified to the core.

Ghazala Perveen, the forty year old wife of Khalid Mehmood is in severe agony. The only measure she took was to approach the Defence of Human Rights.



Taj Baro, Mother of Mian Syed

Mian Syed S/o Sher Mohammad Shah

Date of Disappearance: May, 2008

Place of Disappearance: Swat, KP, Pakistan

The DHR team met with an old lady named Taj Baro. She is approximately eighty years old. Her story goes like this: "I have three sons and three daughters. By profession, my son, Mian Syed, is a civil engineer. He was working in a private company in Swat where the Pakistan Army started an operation in 2008. He was not happy with the situation. He always used to criticize the operation within family and friends' circles.

"He was a peace loving person. So he decided to take positive steps for the restoration of peace. He went to the commissioner of Swat and requested him to enforce a ceasefire. The Commissioner told him that the government could cease fire only if the Taliban did the same. On hearing this, he told the commissioner that he would meet with the leadership of the Taliban as well.

"It was early May, 2008, when one morning he came to me and said, "Mom, I am going to see the Taliban leadership". He then left, and came back in the evening. He told his brother that all the Taliban were ready for talks, except for Mullah Fazlullah. Sher Muhammad was optimistic about his efforts for peace.

"Next morning, he went to the Army's unit, and met Colonel Awan. He informed him that the majority of the Taliban were willing to cooperate; only Mullah Fazlullah was not. Meanwhile, renowned Taliban leader, Sufi Muhammad, was released from Jail. My son also met Sufi Mohammad and requested him to use his influence.

"One day Col Awan sent for my son. He went but never came back. He has been missing since then. My family started searching for him. The Army denied having any knowledge of his whereabouts. We got an FIR registered with the Police. We also approached the High Court and Supreme Court but did not get justice."



Afnan, Wife of Abdul Aziz

Date of Disappearance: January 25, 2013
Place of Disappearance: Peshawar, KP, Pakistan

Abdul Aziz S/o Amir Saleem, was a driver as well as an internee reporter with Awaz TV, a prominent Pakistani news channel of Pakistan, posted in the northern city of Peshawar. He was on a reporting assignment on 25 January, 2013, in the Nawab Market of Hayatabad, Peshawar, when a white car (model Toyota Corolla 2.0D) approached him. Inside the car were security personnel who grabbed him and forced him into the car. Eyewitnesses claim that the men were armed and belonged to a certain secret agency, although they were wearing plain clothes.

Abdul Aziz and his wife, Afnan, have three children. Their eldest son Waleed is seven years old, a girl named Bareera is five and the youngest son, Muhammad, is only three years old. At the time of Aziz's abduction Muhammad was only 30 days old. Bareera asks her mother every day why all other children have fathers, but she does not.

Afnan ran from pillar to post to find her husband, but to no avail. She filed a writ in Peshawar High court which is still pending. The DHR filed this case with the Commission of Inquiry. The proceedings are going on, but the whereabouts of Abdul Aziz are still unknown. A former detainee approached Afnan and told that her husband had been detained along with him in the same secret detention cell.

Afnan could not afford to raise her children single handedly. Therefore she moved in with her parents in Rawalpindi. Her father was a poor fruit seller and could not afford Afnan along with her children. After staying with parents for nearly a year, Afnan moved back to Peshawar in the interest of providing education to her children, as well as to pursue the case of her disappeared husband. She is living in a tent in the veranda of a relative, along with her children. On 28th November, 2015, a person visited her, telling her that he was from a secret agency. He inquired about the situation of her husband's disappearance. He took notes and informed her, unofficially, that Abdul Aziz was detained somewhere in Hayatabad, Peshawar. In spite of Afnan's dire financial situation, he demanded some reward from the aggrieved wife.

Afnan began to feel increasingly insecure and harassed while living in a tent with no walls or door. In February 2016, she came back again to live with her parents in Rawalpindi.

Justice remains an elusive quest for this helpless, aggrieved and economically devastated family.



Family, Children of Javed Iqbal

Javed Iqbal S/o Mohammad Yousaf

Date of Disappearance: October 20, 2011

Place of Disappearance: Chakwal, Punjab, Pakistan

Javed Iqbal a driver by profession got married to Tasneem Nusrat on 31st July 1998 and was living happily. They had had 4 daughters namely; Malaika, Anzeela, Anoosha and Ajwa were born. Later on their son Hasan was born to the great delight of the whole family.

Javed was working at a showroom in Islamabad and used to come home after every 10 days. On 20th October 2011 his cell phone was off and did not respond. This condition prolonged till the family got very upset and sent Javed's brother to Islamabad to search for him.

Javed's brother went to the showroom and was told that Javed went to Wah-Cantt, a nearby town, but never returned whereas his car was found from a police station at Wah-Cantt. The brother went to Wah-Cantt Police Station but they refused to registered FIR, giving a reason that Javed is abducted by some secret agency.

Tasneem, wife of Javed Iqbal came to lodge report and appealed for remedy to Defence of Human Rights Rawalpindi on 26th May 2011. The case of Javed was forwarded to the Commission of Inquiry where it is still pending.



Sajda, Wife of Zia-ur-Rehman

Zia-ur-Rehman S/o Mohammad Rauf

Date of Disappearance: July 26, 2007

Place of Disappearance: Kamra (Attock), Punjab, Pakistan

Zia-ur-Rehman was senior technician and Airman at the Pakistan Air force base Kamra. He got married on 18th Oct 2002 with Sajda a girl of simple and docile nature. They had two daughters named Areeba and Kashaf and life was blissfully happy for the whole family till 26th July 2007, when all of a sudden Zia urRehman disappeared from his work place on duty from Kamra.

Heaven fell on the family. The quest started in which parents, brothers and Sajda's father and brothers played a major role. Petitions were written to chief of Army staff, Air chief marshal and to Directors General of ISI and MI etc.

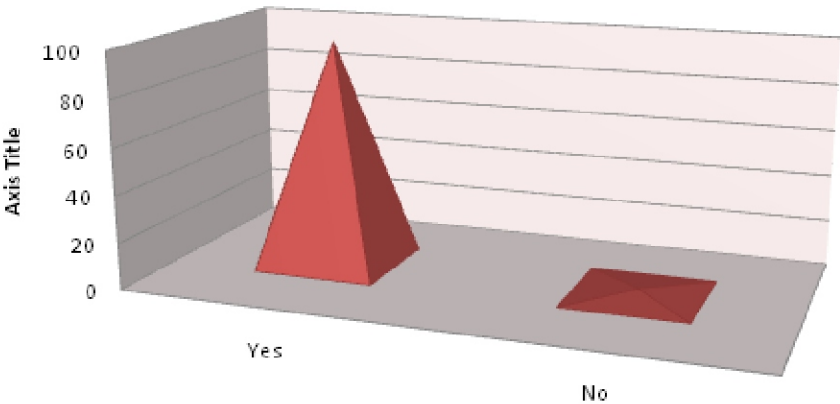
DHR took cognizance of this case in 2011 and got it registered with the commission of Inquiry. The case is still pending before the commission whereas no clue has been found. DHR also filed the petition for the release of Zia urRehman in the Supreme Court but the honorable court again directed the commission to proceed with it and trace the disappeared Airman.

Zia's FIR was registered at Kamra Police Choki but police could not bring any news regarding his mysterious disappearance.

The Commission of Inquiry is prolonging the case with no concrete development. Sajda laments sorrowfully that she suffered from depression in trying to cope up with this trauma for last 8 years and her daughters keep asking about their father to which she has no answer.

GRAPH 1

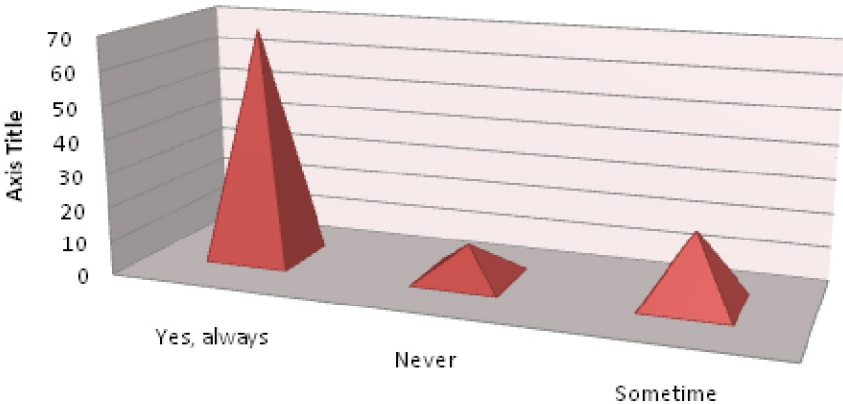
Do you feel physical insecurity without your Husband?



	Yes	No
Series1	98	2

GRAPH 2

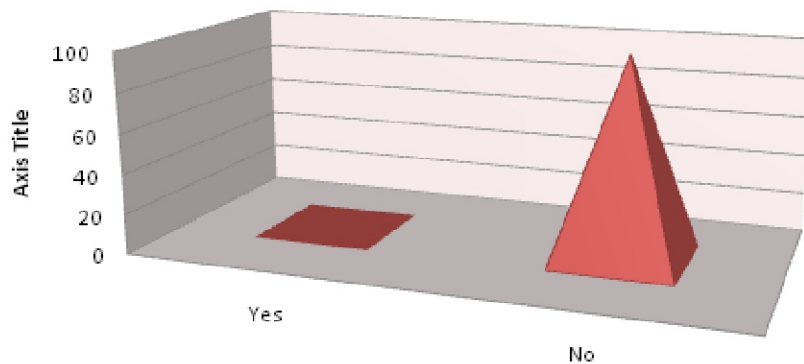
Is your family supporting you for the search of your Husband?



	Yes, always	Never	Sometime
Series1	69	10	21

GRAPH 3

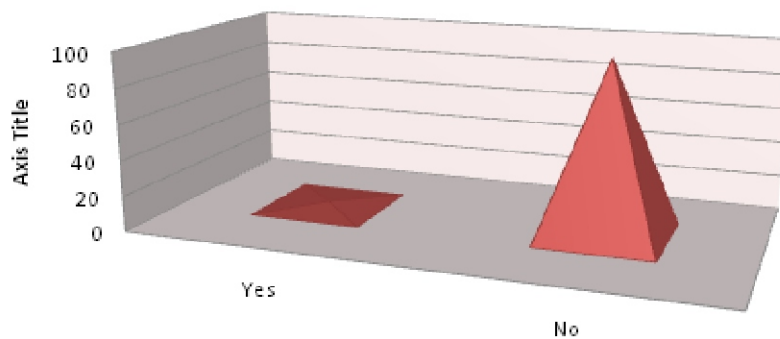
Are you getting any support in legal proceedings from GOVT or HR organization at any level?



	Yes	No
Series1	0	100

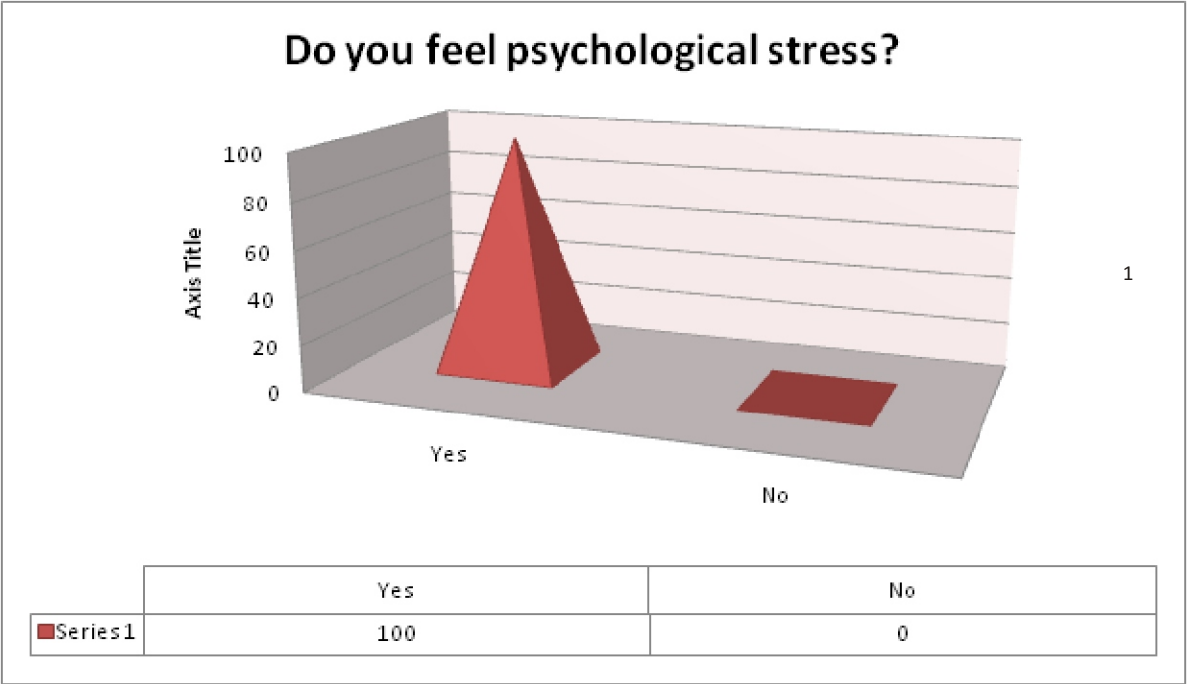
GRAPH 4

Are you getting any financial support on monthly basis from GOVT?

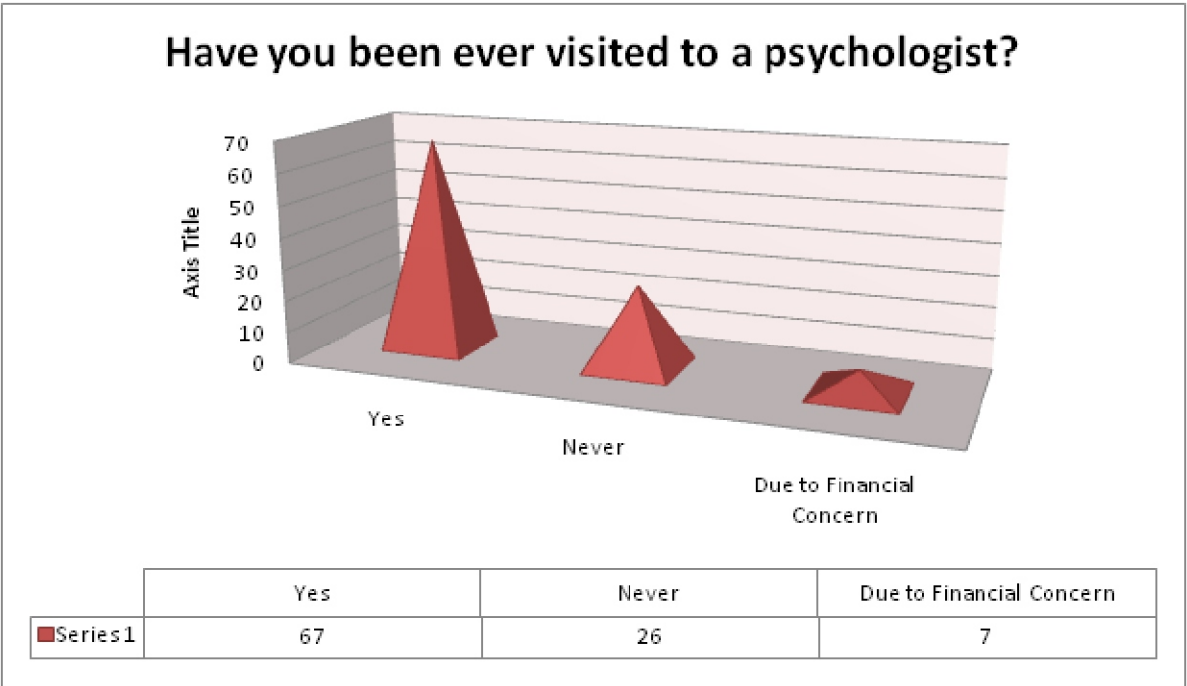


	Yes	No
Series1	2	98

GRAPH 5

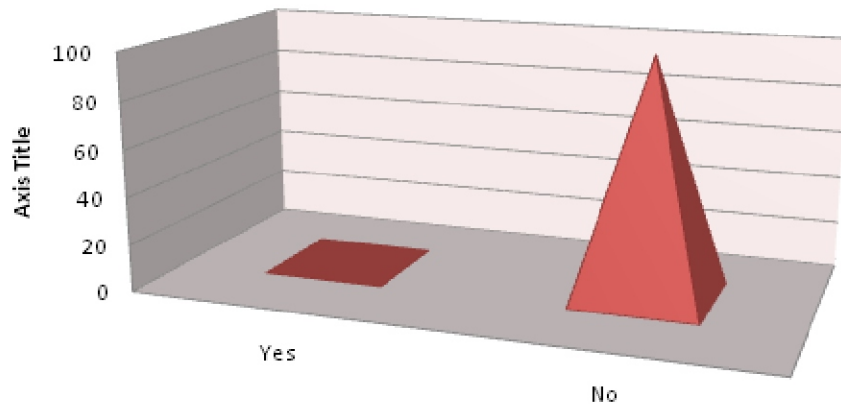


GRAPH 6



GRAPH 7

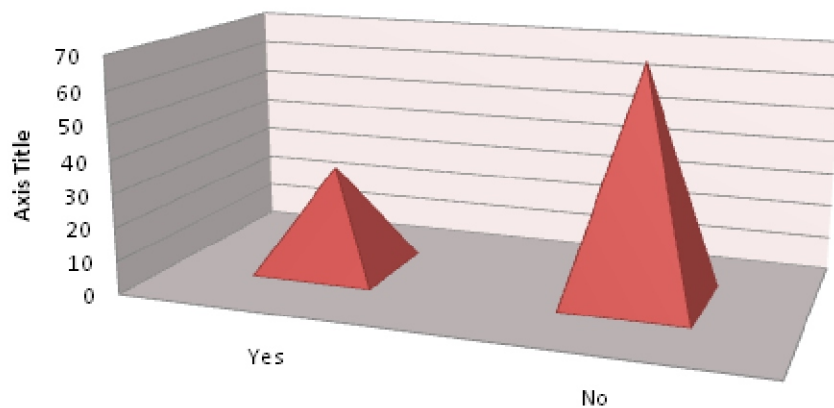
Do you accept a word “half widow” for you?



	Yes	No
Series1	0	100

GRAPH 8

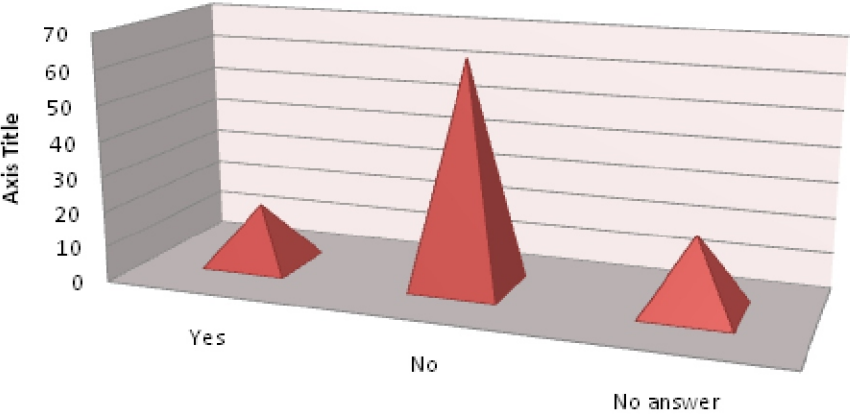
Are you a working woman?



	Yes	No
Series1	31	69

GRAPH 9

Have you ever worked for earning?

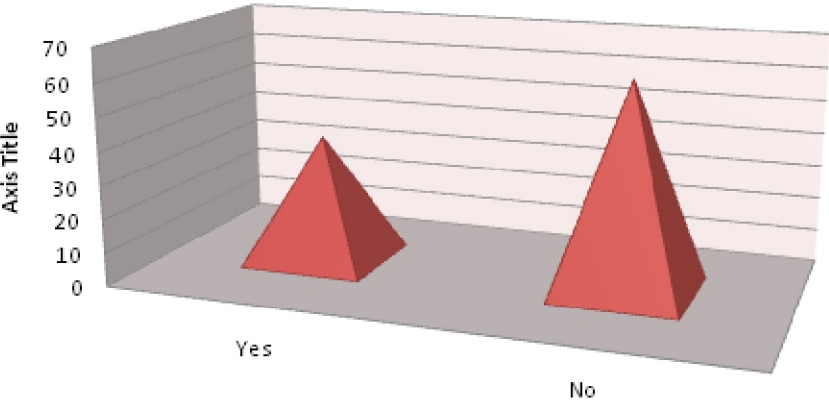


1

	Yes	No	No answer
Series1	17	64	19

GRAPH 10

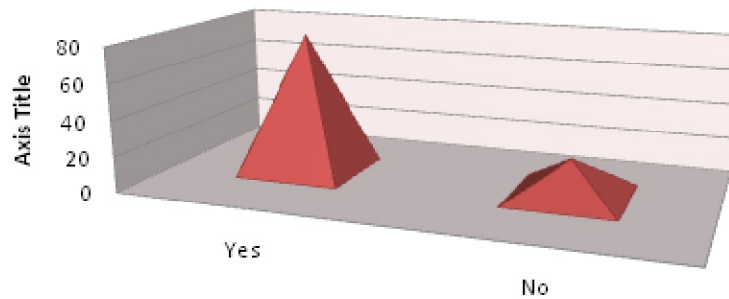
Do you have any skill?



	Yes	No
Series1	38	62

GRAPH 11

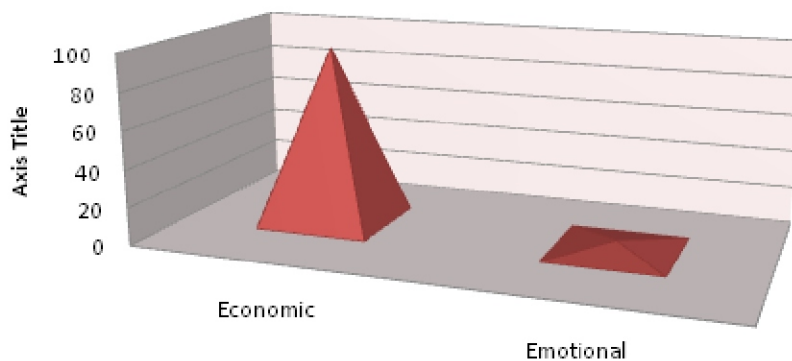
Was there any disruption in the education of your children after the disappearance of your Husband/Father/Brother?



	Yes	No
Series1	79	21

GRAPH 12

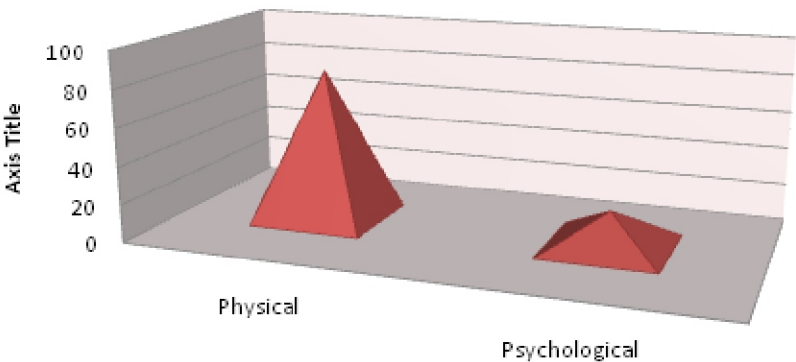
What was the reason of disruption: economic or emotional?



	Economic	Emotional
Series1	95	5

GRAPH 13

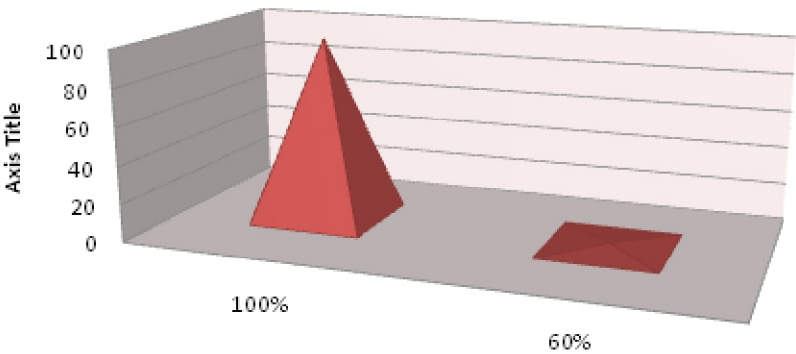
Any major physical ailment developed after disappearance



	Physical	Psychological
Series1	81	19

GRAPH 14

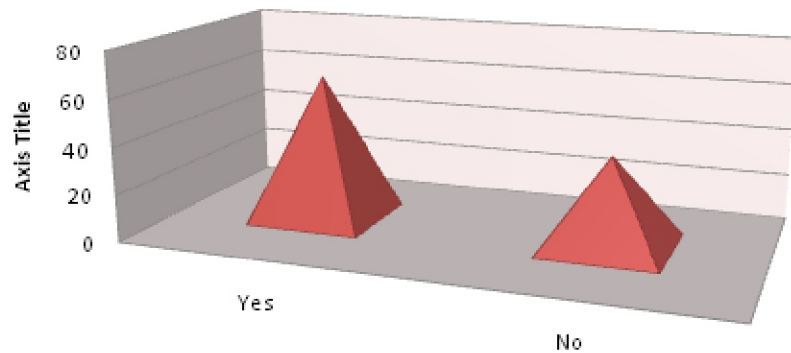
How hopeful are you that your loved one will come back: Scale 123456789.



	100% Hopeful	60% Hopeful
Series1	98	2

GRAPH 15

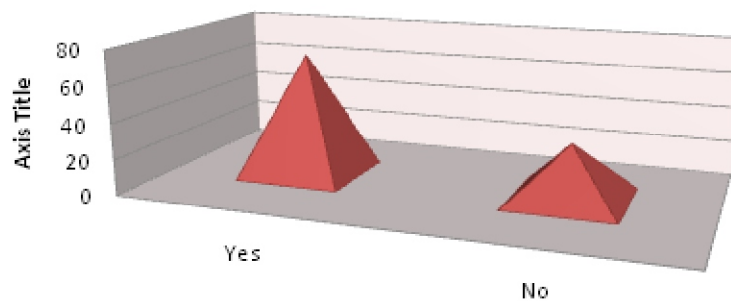
Do you find any change of behavior in your relative ie mother, father, brother, sister, in laws,



	Yes	No
Series1	62	38

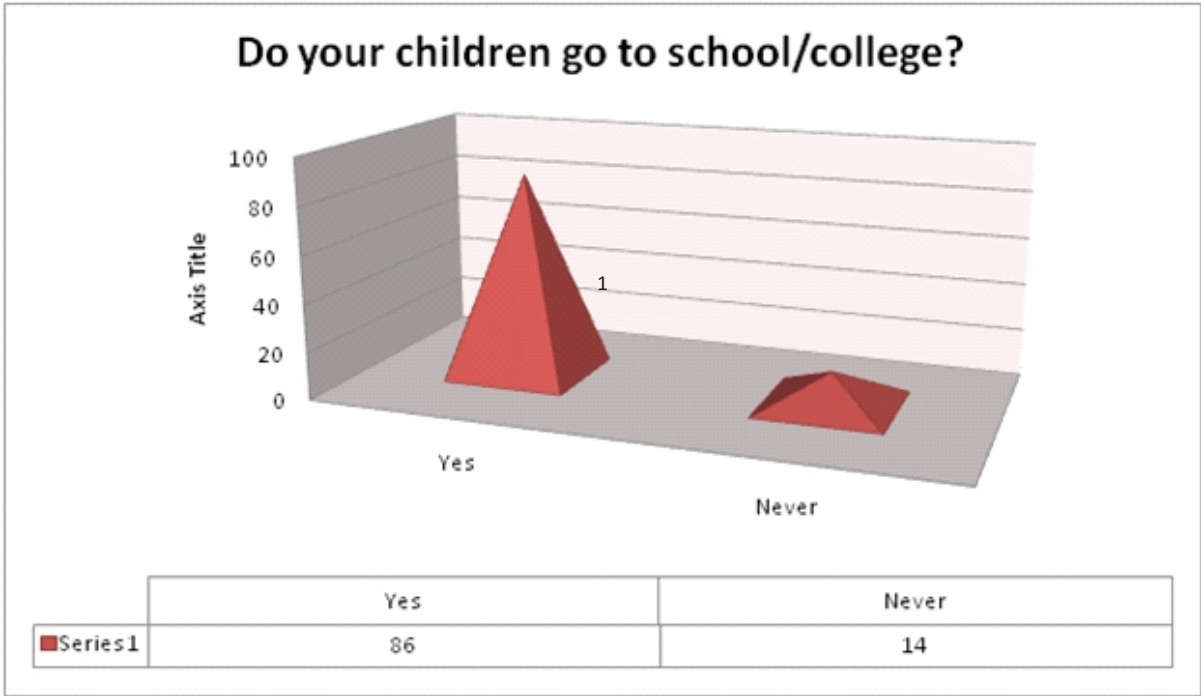
GRAPH 16

Do you find any change of behavior in men you encounter like shopkeepers, friends of husband etc

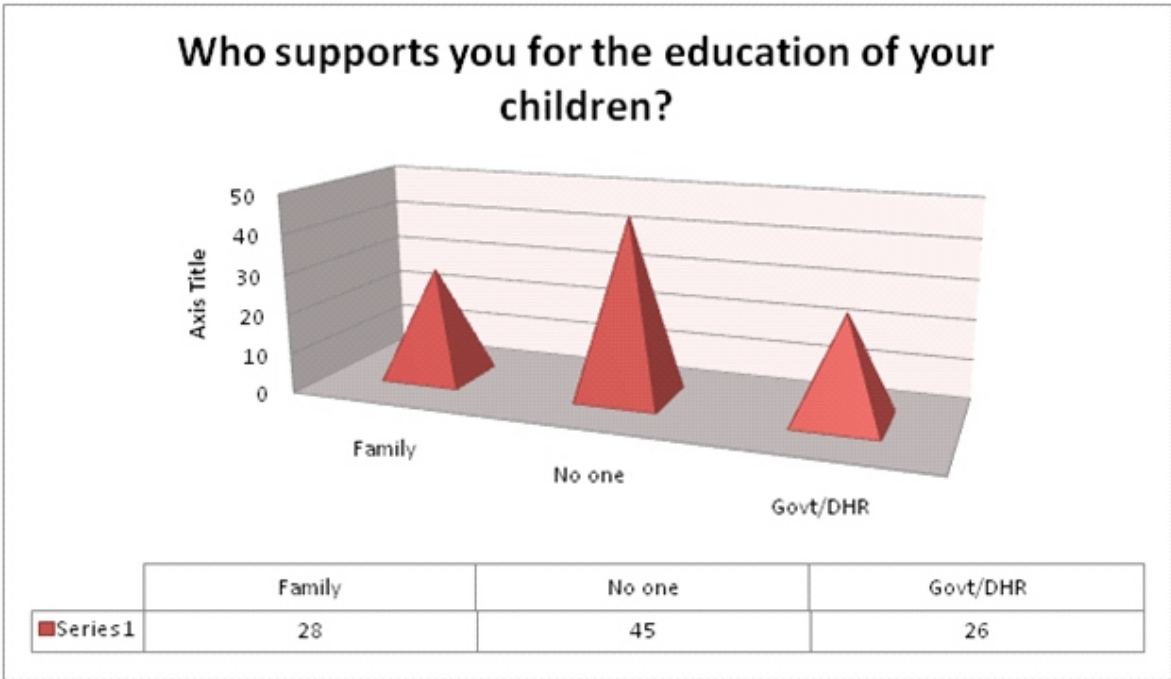


	Yes	No
Series1	69	31

GRAPH 17



GRAPH 18



FINDINGS AND ANALYSIS

Role Of Government In Accordance With International Law:

WGEID highlights the problems and role of women in its general comments of the 98th session and explains duties of States regarding complaints on enforced disappearance in the perspective of gender. Articles 2 and 3 of the 1992 Declaration require that no State shall practice, permit or tolerate enforced disappearances, and that they shall contribute by all means to the prevention and eradication of enforced disappearances. In order to prevent and respond to all forms of gender-based violence, including that related to enforced disappearances, States should develop national programs and procedures, based on a holistic and multi disciplinary approach. These should include adoption of relevant legislation, provision of financial resources and establishment of national machineries addressing discrimination and promoting women's equality and empowerment. Particularly, these steps must include the removal of obstacles to the equal enjoyment of rights by men and women victims of enforced disappearances. States must not only adopt protective measures, but should also take affirmative action in all spheres in order to strengthen women's effective and equal participation in the prevention and eradication of enforced disappearances. These measures should primarily be aimed at removing institutional barriers that prevent women victims of enforced disappearances from enjoying their human rights fully and equally and on the same basis as men. Furthermore, the steps must also include equal participation of men and women in all decision-making processes, and educating citizens, particularly public servants, on gender equality. Those measures should also ensure equality in reporting of enforced disappearance and guarantee that reports shall not be treated differently in light of the sex of the reporting person.

Discussion On Islamic And Local Laws And Government's Failure To Redress The Agonies Of Women:

Islam is the state religion and Government is constitutionally bound to uphold rights enshrined in Islamic theology. First of all we will discuss the Islamic rights enjoyed by the women which are being violated by the government in the cases of women family members of the disappeared

It is pertinent to understand the sacredness of life in Islamic ideology. Allah created human race on the earth. The period He fixed for creature to live is called "Life" which is very precious for every living being on the earth. It is the very basic and fundamental right for an individual to let him live safely, smoothly and freely. Then every prerequisite for protection of life is secondary means, and any other requirements to decorate life has comes at third position. The main reason or cause of many revolutions from time to time, from cave to this modern era, was the protection of life and protection of anything which is obsessed with making the life perfect. Migration of people from place to another place is reason for getting peace and safety.

According to Muslim jurists, an individual has five fundamental rights namely: 1. Protection of life, 2. Protection of property, 3. Protection of honor, 4. Protection of race, 5. Protection of religion. The question is what is meant by "Protection"? Either it means safety or it covers some other aspects? The answer is that, if no one will interfere in matters of other individual without his willingness, definitely he with all things will be secured. It means he needs full freedom for living a valuable life.

The specific rights for the women in Islam are equal and even more privileged than men, however here if we see in detail it is noticed that in women victims of Enforced Disappearance all such rights guaranteed by Islam are violated flagrantly.

Allah says that couples are made in heavens for the comfort and peace of the whole society:

"Among His Signs is this that He created for you mates from among yourselves, that they may dwell in tranquility with them, and He has put love and mercy between your (hearts): Verily in that are signs for those who reflect." [Noble Quran 30:21]

There are numerous verses in the Quran to the same effect. However this peace and tranquility bestowed upon mankind by God is destroyed by the government and its various instruments in the form of enforced disappearance.

The Constitution Of Pakistan:

According to Pakistan's civil law women are considered equal in all rights. However, the women family members of the disappeared are denied their due rights. They have to face challenges in society; not just emotional setback and economic crises but something even more crucial i.e, no redress of their grievance. Articles 4 to 14 of the Constitution guarantee fundamental rights, such as the right to life, liberty, access to justice, and to be a person in the eyes of law. The disappearance of a citizen violates all these Articles.

In most cases the disappeared is arrested illegally without any warrants, kept in secret, undisclosed locations, in the underground torture cells where he is interrogated, abused, tortured and forced to confess something he has never done. He is not produced in any court of law before a magistrate, he is not given access to the council of his choice to prove his innocence and he does not have any contact with his family. As mentioned in Article 14 the dignity of man and privacy of his home is breached. Moreover, the disappeared is tortured in detention, so much so that at times he dies.

Article 4 of the constitution guarantees that a person cannot be prevented from doing which is legal. Ironically deprivation of liberty in instances of enforced disappearance bars a person from all things which a person is capable of doing under the law.

Article 8 goes further ahead in clarifying for both men and women that these fundamental rights are supreme. Any law or custom or usage having force of law inconsistent with the fundamental rights shall be void.

All such laws and ordinances like PPA and ACCPR e.t.c. should stand void according to this Article; however these are being followed with zest and zeal.

The fundamental rights are guaranteed in Article 8 to 28 of the 1973 constitution of Pakistan, for all men and women. However, these freedoms are violated and curtailed by the state security forces in the cases of enforced disappearance.

Dignity Of Man And Privacy Of Home:

Article-14 of the constitution guarantees:

1. Privacy of home and forbids torture for the purpose of extraction of evidence.
2. Police or any other state agency can enter a home only after obtaining lawful authorization in writing (naming person & purpose of entry e.g. arrest or recovery of stolen goods)

According to Articles 15 to 19 all citizens are free to move, travel, have all sorts of freedom of speech and expression, peaceful assembly and right to make association. But government of Pakistan has many a times taken steps contrary to above mentioned Articles. The women and children of the disappeared were baton charged, beaten and tear gassed, dragged on the roads, tortured and rounded up by the security forces. Their peaceful protests were broken many times when they were demanding release of their disappeared loved-ones on the roads and took out rallies. Women Family members of the disappeared were given life threats in person, on phone calls, in recorded messages on CDs and through letters. They were kept under surveillance and harassed to shut their mouth and ordered categorically to wind up the struggle.

Basic Freedoms: Articles 15, 16, 17, 18 & 19: *all of which are violated in the case of women family members of the disappeared.*

1. Every citizen is free to: move, live and settle in any part of the country, and also has the right to a passport and to travel abroad
2. Every citizen has the right to assemble peacefully (Exceptions: these can be restricted by law in the public interest)
3. Every citizen has the right to: join an association/union; freedom of speech and expression; freedom of the Press is guaranteed. (Exceptions: can be restricted by law on grounds of sovereignty or integrity of Pakistan, public order or morality; government servant cannot be member of a political party)
4. Every citizen, subject to qualifications can enter a trade, business or profession of his/her choice (Exceptions: regulations of trade & commerce can be made by the government)

Property Rights; Articles 23 & 24:

1. Every citizen is allowed to own, sell his/her property in any part of the country
2. No person can be deprived of her/his property compulsorily. If property, land is needed in public interest, then the government has to give reasonable compensation to the owner.

The property rights of women and children of the disappeared as enshrined in the article 23 and 24 are also violated, as they do not get their due share in property, assets, business enterprises etc. of the disappeared during the period of disappearance. Since there is no specific law for the family of the disappeared or to cater for the “Disappeared” status, the joint properties remain disputed and of no good for the victim families. There is no way in which relatives of a disappeared can inherit the ancestral property or enjoy their due property rights. These limitations further worsens the situation of a wife, sister or mother of the disappeared.

Guarantees Of Equality & Non- Discrimination:

Articles 25, 26 & 27 state that:

1. All citizens are equal before law and are entitled to equal protection of law.
2. There shall be no discrimination on the basis of sex alone (Exceptions: the state can make special provisions for the protection of women and children).
3. No discrimination on any basis in access to public places, except those specifically reserved for religious purposes (Exceptions: the state can make special provisions for women and Children).

4. No person otherwise qualified can be discriminated against in the matter of employment. on the basis of race, religion, caste, sex, residence or place of birth (Exceptions: specific services can be reserved for members of either sex if such posts/services require duties which cannot be adequately performed by the members of other sex, e.g. Lady Health Visitor).

The woes and agonies of the women and children go unheard in the corridors of power and justice, although according to article 25, 26 and 27 all citizens are equal before law and are entitled to equal protection of law, equality in every way and non-discrimination. However, the women victims and children are subjected to violations, discriminated in their redress to justice, equal opportunity in employment, access to health and education. Though permitted by law but Government never makes special provisions for providing rights to the women and children of the disappeared.

Article 28 which concerns the rights to preserve script, language and culture is also violated. After the disappearance of the head of the family a woman is forced to step out of her cultural and religious norms in order to survive and earn for her children. She has to act like a man and do many things which are otherwise not acceptable in society. She has to take a stand in front of her relatives, make decisions of her own and earn a livelihood.

Convention on the Elimination of All Forms of Discrimination Against Women:

According to the convention, the rights of the women family member of the disappeared in Pakistan are compromised. For further details please visit the website mentioned in the foot note.

CONCLUSIONS

It is evident through the research presented in this report that women members of the families of the enforced disappeared person are the ones who take all the brunt of the disappearance of a family member. They are affected most severely and their sufferings have many facets. Below is an outline of the difficulties faced by such women.

The implications on women of a family victim of enforced disappearance can be broadly categorized under following main and secondary headings:

Emotional:

Feeling of loneliness and helplessness:

Feeling of loneliness and without help in the whole world is the first emotional pain women of the disappeared face. Often drama of enforced disappearance is enacted in front of the whole family by armed men. The unprecedented trauma leaves the women frightened to the core. This fright coupled with other things heightens the feeling of loneliness.

Development of hysteria, depression and other psychological disorders:

It is observed that the initial shock and trauma of disappearance of a loved one often leads to anxiety, depression and allied psychological disorders. Although treatable these disorders often worsen over time due to unavailability of professional help.

Economic:

Loss of breadwinner of family:

As outlined elsewhere in this report that in most of the cases the disappeared person is the sole breadwinner of the family. His sudden absence renders the family destitute even for the day to day needs.

Fewer opportunities due to lack of high school education:

The general low level of education in Pakistan is more significant in women. Most of the victim families belong to low income group hence low education level. These uneducated or low educated women find little opportunities in professional world to replace the income lost by the disappearance of the family head.

Lack of work experience:

Traditionally financial needs of a woman are taken care of by the men of the family. In maidenhood they are supported by father and after marriage it is the duty of the husband to provide for his wife. Under these circumstances few women have any experience in business or professional world.

Children's education:

It is reported that due to cessation of family income after the disappearance of the breadwinner, the education of the children is often disrupted for lack of funds. The women face enormous difficulties to continue education of their children.

Legal and campaigning expenditure:

Where women are faced with the problem of keeping up with the regular expenditure of the family the funds required to start a legal war for the search of the disappeared person proves to be very resource draining.

Social and Legal:

Dual parental role:

The wives of the disappeared have to play the role of mother and father simultaneously, which often proves very challenging.

Challenge to handle the psychological and emotional crisis faced by the children of family:

Another result of a forced disappearance which is taxing on women is the management of children who cannot understand the sudden disappearance of a family member. They have questions which are not easy to answer which converts into behavioral as well as psychological problems.

Sexual harassment:

A woman who is rendered alone due to the disappearance of the husband is vulnerable to sexual harassment. Such women appear to be easy prey for many males with whom she has to interact.

Gossips and whispering and Social isolation:

Disappearance of a person leaves many questions and doubts in the neighborhood of the victim family. It is a general concept that if a person is picked up by state forces he must have been

connected with some illegal activity. This concept makes a victim family quite suspicious in the eyes of neighborhood.

Unwanted interference in family matter from relatives and family friends:

As the women are culturally dependent on male members of the family, women find it hard to make decisions for themselves and their children. They often have to fight their way even to launch a legal report of the disappearance.

Crisis in management of family property and assets:

Since property rights and social security are only transferrable to wives upon the death of their spouse, women relatives do not get any benefit due to the lack of legal recognition of a person's disappeared status. This way even quite well of families face immense financial crisis.

Role of Government of Pakistan:

Pakistani government has absolutely failed to address any of the problems of women relatives of the disappeared as outlined above. Pakistani government has assumed a policy of complete denial of existence of enforced disappearance in the country. This situation has left women of the victim families totally helpless. Not only the Government is not ready to provide relief to the victims of enforced disappearance and their families it also hinders efforts of civil society organizations who are engaged in helping such families.

Recommendations:

While the State of Pakistan continues to act as if the phenomenon of enforced disappearance is non-existent in Pakistan, there are numerous constitutional guarantees which needs implementation to redress the plight of women of the families of enforced disappeared. This section incorporates a set of recommendations for the Government of Pakistan to address the problems faced by these women.

A reparation program needs to be created which should start assisting the women as soon as a report of enforced disappearance is launched. Such reparation program should at least cater for the basic needs of the family with goal to uphold the economic position of the family as it was before the disappearance took place.

1. A legal aid program should be launched which should cover not only the assistance of counsel but traveling and allied expenses incurred to carry on this process.
2. Justice system of the country should incorporate a gender sensitive approach when dealing with complaints of enforced disappearance.
3. A full-fledged psychological support system should be adopted for the women who are in the process of search for their loved one.
4. Government should adopt legal reforms to facilitate women and family members of the disappeared person to use and inherit assets and property of the disappeared person.
5. Government should sponsor free education and medical facility to the children, women and old people of the disappeared.
6. Government should encourage NGO sector should to assist victims of enforced disappearance. Rehabilitation, psychosocial counseling and awareness building programs

should be sponsored to benefit the women family members of the disappeared.

7. Ratification of the International Convention on the Protection of All Persons Against Enforced Disappearances, which will show the government's commitment in addressing the issue of enforced disappearances in the country.
8. Enforcement of a law that codifies enforced disappearances, including its characteristic elements, in the domestic legal framework and that which also recognizes the relatives as victims.
9. Above all the access to justice should be facilitated in such a way that justice is delivered to them in inexpensive and speedy manner, without any procedural delay due to the poor judicial system of the country.

The woes and agonies of the women and children go unheard in the corridors of power and justice,

Commentary by Mary Aileen D. Bacalso

The Asian Federation Against Involuntary Disappearances (AFAD) congratulates the Defence of Human Rights (DHR), its member-organization in Pakistan for giving birth to this publication, entitled: Grief Untold. A very important initiative, this book is an integral part of the whole gamut of the organization's search for truth, justice, reparation, redress, reconstruction of the historical memory of the disappeared and guarantees of non-recurrence.

Focusing on the effects of enforced disappearance on women family members of the disappeared, who bear the brunt of the devastating consequences of one of the cruelest forms of human rights violation, it contributes, in no small measure, to the revelation of the untold stories of women whose loved ones were forcibly disappeared by agents of the state that is supposedly protecting the rights of its citizens. Rights distinctly violated on women are evidently elucidated through true-to-life stories of the suffering women, who, despite their pain, refuse to remain victims, but instead, struggle to transform themselves into empowered human rights defenders.

Effects on women are many ranging from economic dislocation, disintegration of the family, profound sense of blame, helplessness, loneliness, isolation due to stigmatization by society and for some, psychological and worse still, and mental problems. .

This publication, however, speaks not only of the ills that enforced disappearance causes on women. Of equal importance is the story of resilience of the afflicted women family members of the disappeared who, despite their fall, manage to stand up again through the support of other equally suffering women, of their organization, the Defence of Human Rights and similar formations in other parts of Asia and the rest of the world.

It is a story of finding strength in the common pain of losing husbands and sons due to enforced disappearances that occur in the name of national security and war against terrorism. For indeed, these women are united not only in pain, but also in the strength of their solidarity and in their determination to leave no stone unturned in order to fulfill their much-cherished dream for truth and justice.

The author and publisher, Defence of Human Rights, in its efforts to make the Pakistani Government accountable to the violations committed against its citizens, makes practical recommendations based on the needs of its constituents whom it integrates with in this long journey for truth and justice - so that no women (and men) will ever again ask the same question: Where are you?

Grief Untold touches the hearts. Enlightens the minds and moves people to take part in attaining the vision of a world without desaparecidos.

MARY AILEEN D. BACALSO

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