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**Conflict Over Balochistan will Undoubtedly have
Profound Negative Effects on the Entire Region**

A paper by:

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INTRODUCTION

The Asian Legal Resource Centre (ALRC) and its sister organization Asian Human Rights Commission (AHRC) wish to bring to the attention of the international human rights organizations and the civilized world the situation of human rights in Balochistan, Pakistan's south-western province, which is deteriorating day by day due to the heavy-handed policies being adopted by the government and the Pakistan military towards nationalist groups. Not a single day in Balochistan passes without enforced disappearances, abductions, arrests, torture in military or Frontier Corp's camps and the murder of the opponents. It looks as if the law is prohibited in the province.

The killing of a renowned politician, Sardar Akbar Khan Bugti, former governor and chief minister of the province and some 37 of his supporters in a mountain hideout by the Pakistan military on August 26, 2006, has thrown the country headlong towards a catastrophe that can only be averted by intense international and national efforts. The country now faces the prospect of outright war between the armed forces and the people of Balochistan, not to mention the leaders and people in other provinces who have witnessed that the government knows only to deal with dissent through bloodshed.

BACKGROUND INFORMATION

Balochistan was incorporated into the new state of Pakistan in 1948, as the Indian subcontinent was split at the end of British rule in 1947. Since then, there have been continuous military operations during different governments which generated insurgencies by Baloch nationalists in the province seeking greater autonomy.

The Pakistan Army started military operations in Balochistan province in 2001 to construct the cantonments and to have full control over the sea port of Gwader and routes connecting Central Asian countries with those in South Asia. During this time, the clampdown in Balochistan has become serious.

Baloch people also suffer from great poverty. According to the Karachi-based Social Policy and Development Centre (SPDC), poverty levels in Balochistan are the highest in the country. Every second person in Balochistan lives below the poverty line. Only 50 percent of the province's 7 million people have access to clean drinking water, only half the children attend primary schools and only a third of children between 12 and 23 months are immunised, according to the SPDC.

Balochistan has in fact very rich mineral resources. However, all the resources in the province are controlled by the federal government and no royalty or compensation has been paid to people in Balochistan. Also, the country's most populous province, Punjab, is controlling the military, the administration and utilises of all the resources. In addition, the government has provided little resources towards social welfare in comparison with other provinces. People in Balochistan blame the federal government for their plight and point out that the benefits derived from the province's natural wealth have not been returned to it.

Although the conflict over Balochistan goes back to the time of independence, the current crisis is a direct consequence of the October 1999 military takeover. In 2001 the Pakistan Army began operations in the province that provoked armed conflict. Since then more than 4000 persons are estimated to have been unaccounted for after arrest in this province alone. In January 2005, when an army officer was alleged to have raped a lady doctor working in Sibi, the president-cum-army commander used his influence to save the accused by bombarding the area, killing several people and forcing evacuations. And on other occasions, as now, the air force has been used to bomb the people of Balochistan into submission. The primary reason for all of this is of course the province's rich resources, especially its supply of some 40 per cent of the country's natural gas, which the federal government feels disinclined to share.



SOUTH ASIA IN SERIOUS DANGER

Pakistan too is in serious danger. More than 300,000 people from the province are already believed to have fled into neighbouring provinces or to different parts of the Balochistan due to the ongoing conflict there. Meanwhile, provincial assemblies and regional leaders have learnt the lesson that when the stakes are high, the only diplomacy known to the military and federal government is by way of F-16s and helicopter gunships.

And South Asia is in serious danger. Some commentators are talking of a repeat of 1971, when the war with East Pakistan, now Bangladesh, which caused the loss of around a quarter of a million lives and countless needless atrocities. Under the current circumstances, an outbreak of massive hostilities is conceivable. The military and the federal government, in its rhetoric way, came out that they found some evidence that India was involved in the Baloch insurgency. The prime minister of Pakistan, last year in Sharmul Shaikh, Egypt, during the meeting with Prime minister of India, announced that India is involved in the militancy in Balochistan. After that many Baloch youth were arrested and tortured in different torture cells run by the Pakistan army in Punjab province to confess that India is behind the Baloch Liberation Army (BLA). The whereabouts of the young men and students from Balochistan are not known.

The official circles spreading fears that India could take advantage of the looming instability in Pakistan and provoke a new disastrous war between the two big rivals; alternatively, current and retired military officials who have themselves blamed India for the militancy in Balochistan, may find a pretext to launch attacks against India of their own accord. Whatever the case, large-scale conflict over Balochistan will undoubtedly have profound negative effects on the entire region: including the frontline of the much-vaunted "global war on terror" there.

A MINDSET TO KILL THE PEOPLE INDISCRIMINATELY

In response to the recent increase in violence committed by nationalist militants, a high-ranking police official threatened in a press conference on August 21 to begin killing people indiscriminately in the province in retaliation.

Mr. Ghulam Shabbir Shiekh, the deputy inspector of police, Naseerabad range, announced that the police will kill 40 local persons in revenge for the militants' alleged abduction and murder of 20 policemen in July and August. No targets, however, were specified. Mr. Shiekh also threatened that if any bullet was fired at the police, the police would fire 100 bullets indiscriminately back at the locality from where the bullet was fired. If any rocket was fired at police stations, the police would fire 10 rockets back.

The announcement by Mr. Shiekh was the most recent attempt by Pakistani state agencies to instill fear among Baloch nationalists and clearly exemplifies the police mindset as one of violent action enacted indiscriminately and with impunity. Earlier, in January, 2009, journalists received threats from the Director of the Inter- Services Public Relations (ISPR) for writing editorials demanding investigations into allegations that the army is running torture cells and detaining female prisoners. The Director, who also holds the rank of Major General, threatened to withhold official advertisements and payments from the newspapers if they continued their "malicious" campaign against the army. Some television channels disclosed the threats publicly, but the Federal Minister for Information denied that the ISPR Director has made any such announcement.¹

These developments reflect the serious situation of human rights in Balochistan, which continues to deteriorate despite the government's promise to revive law and order. After the removal of General Musharraf, the newly elected government of Asif Zardari announced in 2008 that military operations in Balochistan would be halted. Prime Minister Syed Yousuf Raza Gilani and government parties apologized before the parliament for military excesses committed during the operations there.

ENFORCED DISAPPEARANCES

The enforced disappearances in Balochistan have become a very serious issue which is not being tackled properly by the government and even not by the judiciary, which claims itself as an independent judiciary after its restoration on March 2009. The cases of disappearances are pending before the higher courts since 2005 but not a single person was released by the efforts of the courts. Some Baloch nationalists who were dumped on the road after being kept incommunicado testified before the courts that they were kept in military torture cells in different cities, particularly of Punjab province, but courts have not tried to ask the military or intelligence officers about their torture. The Supreme Court is much more interested in locating those persons who were involved in Jihad and were militants but do not look at the Balochi people including some Pushtuns and Hindus. The courts are relying on threatening the intelligence agencies of the military for media consumption and not more than that.

There reports of more than 4000 persons are missing after their arrest by the plain clothed persons from the state intelligence agencies. The nationalist group claim that around 8000 persons are missing. On the other hand chief minister of Balochistan has issued a list of 1100 missing persons. The government of Pakistan through its attorney general submitted a list of 1600 persons missing since 2005.

When the governments of Balochistan and the federation are accepting the disappearances of 1600 persons this means that people are disappeared and state agencies particularly police and military are responsible. But it looks that no one is serious in locating the missing persons. The government of any tier does not have any power to ask the military or its Para Military forces to produce them.

Over 168 children and 148 women are also missing and their names are in the official lists. The case of Zarina Baloch is worth to be mentioned who was being run as sex slave in the military torture cell in Karachi, Sindh province. Mr. Munir Baloch, former managing director of Baloch television has narrated the story of Zarina Baloch to Reporters without Borders. She is still missing with her tribe (around than 417 persons) as they were migrating from their area after the aerial bombardment by Pakistan Air Force jets.

ATTACKS ON WEDDING PARTIES

Soldiers attached to the Frontier Corp (FC) of the Pakistan Army have attacked a wedding party on the night of February 3, killing 13 persons including the bride and groom, the wedding officiator (called nikah khawn) and six members of the same family. Twenty one (21) persons were also injured, the majority of them, women. It has been reported that the attack was in retaliation to an incident on February 2, in which unknown assailants had killed three soldiers of the same constabulary.

The incident occurred at a place called Dashte Goran, 18 kilometres from the town of Dera Buti. This town has remained under military occupation since 2002 and had also been bombed repeatedly, by the Pakistani Air Force. According to some media reports, when the FC soldiers saw the large crowd gathered outside the wedding house, they were scared and attacked the house. They then indiscriminately fired into the wedding party on the pretext that they had been shot at from inside the premises. Apparently the FC officers had not even bothered to ask people outside the house, what was going on inside.

Due to the ongoing military operations in Balochistan, members of the FC have been given the authority to shoot on sight, any person of suspicion, without further ado. Only a day before on February 2, some unknown persons, riding motorcycles had attacked a check post of the near Dera Bugti Town. It is reliably believed that the indiscriminate shooting at an innocent wedding party -- killing 13 and seriously injuring 21 persons -- was in retaliation of the previous day incident.

In an other incident a young unarmed man, Mr. Noor Amad Baloch, 32, was shot dead during his cousin's wedding party by a police officer in Panjgore district, Balochistan province on May 31, 2009. The Assistant Sub Inspector accused of the shooting has defended his own authority regarding who



he does and does not choose to shoot. Despite protests, no case against him has been lodged by police.

Villagers started to protest outside Panjgore hospital, and were told by officials that a case would be lodged against the officer. However nothing was done. When civilians and a number of lawyers gathered to complain at Panjore police station later that day the ASI was defiant. He allegedly announced that his pursuit of criminals should not be interfered with in any way and that his judgment should not be questioned. He also allegedly made threats against anyone who filed against him. No case has yet been lodged. Local residents believe that he was responsible for another unnecessary shooting in the same area three months ago.

At around noon on May 31, 2009, police chased a car of armed men into a village, where the men disbanded after a shoot out. The village was Mohalla Gharibabad, UC Chitkan, Panjgore, and a wedding party was taking place nearby. At the first sign of shooting the wedding guests took shelter in nearby houses. Spectators have noted that though the armed men ran off in the opposite direction, police continued to shoot in the area.

EXTRA JUDICIAL KILLINGS

One can judge through the incident of three prominent political leaders of the Balochistan namely, Mr. Ghulam Mohammad, Mr. Sher Mohammad Baloch and Mr. Lala Munir Baloch, who were killed in extra judicial killings after their second abductions and disappearance on April 6, 2009. These people were already remained in military torture cells for more than 9 to 11 months during their disappearances and government and ministry of defence told the Sindh high court that they had not arrested them.

The three leaders were also the part of a committee which was assigned to talk to a group who had abducted John Solaki, the UN official, from Quetta. They were the main witness for the hurdles created by the state intelligence agencies for the safe release of John Solaki.

The security agencies tried to divert the issue of extra judicial killings by the state intelligence agencies in Balochistan province by claiming that the three were killed by the Iranian security forces when they were trying to enter Iran. The federal interior ministry has extradited more than 60 Pakistani Baloch nationals to Iran and among them, 22 were executed by hanging in public, particularly, in Zahedan city and Seestan province.

Many Baloch people including, Mr. Ehsan Arjomandi, a Norwegian national, have family members in Iran which treats them as members of the Jind Ullah, a militant arm of the Sunni sect of Muslims. The extradition of Balochi people is seen by the nationalist groups as a gift to President Ahmedinijad for his second term in office.

The impunity provided by the government to law enforcement authorities for extra judicial killings is also against Pakistani laws and international norms. Pakistan is a party to the UN International Covenant on civil and political Rights (ICCPR) which makes it mandatory for the state parties to ensure the right to life. The extra judicial killings by the security agencies of the country is a clear violation of the right to life and for that reason Pakistan should come out with a clear stand against the misuse of authority by the security agencies and protect the people of Balochistan.

For these reasons, the Asian Human Rights Commission (AHRC) is issuing an early warning that Pakistan is fast approaching a disaster that requires urgent intervention. If the conflict which is still at present confined to Balochistan spills over significantly into neighbouring provinces or regions it could prove to be catastrophic. The AHRC also calls on the international community, and in particular, the UN Security Council, to take up the situation in Pakistan as a top priority. Let the UN avoid being held to blame for acting too late: the time is now for heavy international attention and swift intervention.



There is a strong need to constitute a war crimes tribunal with wide-ranging powers to probe the cases of disappearances throughout Pakistan, notably those perpetrated under the war on terror as well as the cases the women who are being detained in the military's torture cells and are being used as sex slaves. This should begin with the case of Ms. Zarina Marri, who is thought to be being detained in a military torture cell at the Corp Commander's office in Karachi.

- Ensure the immediate release by the intelligence agencies of all disappeared persons.
- Ensure that the military immediately allow access to all places of detention and closes the 52 or more, torture cells that are operated by military.

All allegations of arbitrary and/or incommunicado detention, sex slavery, torture, extra-judicial killings and/or disappearances must be investigated without delay by an independent and well resourced body, and all persons found responsible should be tried, with adequate reparation being provided to the victims and/or their families.

A paper by Baseer Naweed of Asian Human Rights Commission on three-day international conference on "Balochistan Yesterday, Today and Tomorrow: Meeting the Challenges." By Baloch Voice Foundation from February 22-24, 2010 at Bangkok, Thailand