

Enforced Disappearances in Pakistan

Cageprisoners and Reprieve Research Mission to Pakistan

31 September 2006 – 14 October 2006

CAGEPRISONERS

Introduction

As part of our work on detentions in the War on Terror, Cageprisoners has been charting the complicity of various governments around the world in order to determine their culpability and responsibility to help those who have been denied due process. In the course of our findings a startling level of cooperation was witnessed between the governments of Pakistan, the United States of America and the United Kingdom, particularly between their intelligence agencies.

With almost two thirds of those in Guantanamo Bay having been kidnapped from Pakistan rather than the battlefield of Afghanistan, it was assumed that such figures were as bad as complete picture could possibly reveal itself to be. However, during the course of our investigation in Pakistan it has emerged that number of those being held in secret detention from Pakistan go into the thousands.

Amnesty International contacted Cageprisoners requesting a speaker at their Conference on Enforced Disappearances as well as other organisations. Formulating a plan with the organisation Reprieve, a research mission was commissioned by our respective organisations to investigate as fully as possible the extent of secret detention in Pakistan and its effects on the families of the victims. For the first two weeks of October Asim Qureshi (Researcher in International Law for Cageprisoners) and Zachary Katznelson (Senior Legal Counsel for Reprieve) travelled to Islamabad to begin tracing the extent of the problem.

Amnesty International Conference on Enforced Disappearances

Press Conference on Enforced Disappearances – 29th September 2006

In time for their Conference on Enforced Disappearances, Amnesty International organised a press conference on 30th September 2006 to release their report on the same subject. Hosted by the Human Rights Commission of Pakistan's Islamabad site, the Amnesty team invited the organisation Defence of Human Rights to make statements on behalf of the families of the disappeared. The panel of speakers included Angelika Pathak (Researcher for Amnesty on Pakistan) and Amina Masood Janjua (wife of disappeared detainee and women's representative for Defence of Human Rights).

Ms Pathak went through the contents of the Amnesty report covering the different aspects of enforced disappearances in Pakistan. Frightening figures and case studies were presented before the Pakistani press as Amnesty pulled together a large number of sources in order to present a holistic picture of the current problems facing the Pakistani people at the hands of their government and intelligence services. A particular problem included the transference of individuals to different jurisdictional regions of Pakistan before habeas corpus petitions can be filed with a specific jurisdiction. By moving the disappeared they are effectively held beyond the reach of even the courts demands to have them produced. Further problems included the use of torture, selling of individuals and their rendition to third party states.

Mrs Amina Masood Janjua was given the opportunity to speak at the press conference in order to highlight the human side of the difficulties that are faced by the families. Speaking passionately and on behalf of all the families of the disappeared, Mrs Janjua detailed how the families had got together with the help of former Pakistani intelligence official Khalid Khawaja to form Defence of Human Rights to work for the release of their loved ones. Highlighting the cases of the Parachas, Majid Khan, and the disappeared Pakistani scientists provided a clearer understanding of the extent of the problem.



1. Families of the disappeared

Standing outside the press conference, the families of the disappeared held pictures of their loved ones speaking to the various media outlets covering the event. A sense of hurt and unease crossed all the bystanders and those attending the event as the mother of Faisal Faraz began to shriek her hatred for the current Pakistani regime. Through her tears of anguish she exclaimed that President Musharraf should sell his own children to the "American dogs" if he wanted to sell anyone, rather than all their innocent children.

The press conference allowed the ideal opportunity to speak to other human rights activists who had come to attend the conference and to contribute, especially those from the Human Rights Commission of Pakistan who were hosting the event from the Pakistan side.

Conference on Enforced Disappearances – 30th September 2006



2. Families at the conference

The current situation in Pakistan is one where international terrorism and sectarian struggles are perceived to be of primary concern to the government of Pakistan. Joining with the Human Rights Commission of Pakistan (HRCPP), Amnesty International (AI) dedicated the first day of the two day conference to the families of the various disappeared movements as well as practitioners in the field working against this practice. By bringing all the various families together, rather than just those affected by the War on Terror, the true extent of the problem in Pakistan was witnessed.

Organising the day into various sessions, practitioners were given the first opportunity to speak of the problems that they have been facing with the government in trying to find those that have disappeared. The lack of due process and the international aspects of the detentions of lead to complete ignorance being invoked by the intelligence services on questions being asked. The whole system revolving around a process of moving the individuals beyond the reach of the law.

The families of the detainees in the War on Terror were afforded the opportunity to then give testimony to the audience as they revealed all the problems associated with their plight. A key testimony was given by Farhat Paracha, the wife of Guantanamo detainee Saifullah Paracha and mother of US detainee Uzair Paracha. Her story encapsulated many of the different aspects of the detention policies that have been implemented under the War on Terror by nations around the world whether it be the use of false testimonies gained under torture or the kidnapping of individuals in the US instituted process of rendition. Another key testimony that was given was that by Amina Masood Janjua who took the opportunity to raise the issue of those who have been detained by explaining key aspects of their cases.

Representatives from the regions of Balochistan and Sindh attended the conference to speak of their own struggles at the hands of the Pakistani administration. The government has claimed that these people are attempting to secede from Pakistan and so accordingly have needed to enter into those provinces to maintain order. The policies implemented by the security services in these regions has led to the disappearance of almost 8,000 people, in nearly all cases the government has claimed that these people have been detained due to be terrorists, however the reality is that these people are on many occasions intellectuals calling against the atrocities instituted by the authorities.

Zachary Katznelson of Reprieve spoke to the audience about Guantanamo Bay and the recent revelations by President Musharraf that those who had been kidnapped by the Pakistani intelligence services had been sold to the US authorities. Highlighting the abuses that were taking place against those in Guantanamo and the system of detention that has been implemented at a policy level the audience was made aware of how the process of detention in the facility relates to the disappearances and involvement by the Pakistani government.

Speaking at the plenary of the day's speeches, Asim Qureshi of Cageprisoners spoke of the process of secret detention worldwide and the full extent of the ways in which has been used by countries around the world. Beginning with the case of Binyam Mohammed Al Habashi, his case provides the perfect microcosm for all those that have

been detained under the War on Terror. After having been kidnapped by the Pakistanis, he was subsequently sold the US authorities who then outsourced him to be tortured in Morocco and Afghanistan before being sent to Guantanamo Bay. Other cases cited as examples included those of Aafia Siddiqui and the two women kidnapped from Pakistan and sent to Syria. With 14,000 detainees being held in secret detention worldwide, a large number were specifically picked up from Pakistan.

One evident aspect of the first day of the conference was its significance in bridging the divide between the secular and Islamic divide of Pakistan for the sake of the promotion of human rights. With the conservative Islamic families willing to come forward to speak of their plight despite many being warned against doing so by the security services, the traditionally opposing liberal sections of Pakistani society were willing to take up their cause and help to find their loved ones.

Conference on Enforced Disappearances – 1st October 2006

Having used the first day of the conference as a means of highlighting the various issues relating to enforced disappearances, the second day was spent concentrating on possible measures that could be taken by activists in Pakistan and abroad to help effect change in Pakistan at both a public and institutional level. Various strategies were suggested by the participants many of whom had already been involved with the large demonstrations and political lobbying initiated by the NGO Defence of Human Rights.

The second day also provided an opportunity for the media and activists to interview the families of the detainees and to offer any possible support. Due to the limited time period the Paracha family intended to stay in Islamabad the day was spent by Asim and Zachary taking their testimonies and speaking to them about the cases of Saifullah and Uzair. The remainder of the day was spent in conducting intensive interviews with the families of the detainees and helping them to understand the wider picture of the War on Terror.

Interviews

The Paracha Family



3 Farhat Paracha with children

Saifullah Paracha, a 60-year-old businessman has been incarcerated illegally in Guantanamo Bay for the last four years. Saifullah's son was recently given a sentence of 30 years in the US on baseless charges of being complicit in a possible terrorism plot. Their family reside in Pakistan where they campaign in the face of great hardship to help their loved ones. Farhat Paracha, wife of Saifullah and mother to Uzair is forced to act as an activist, businesswoman and mother to Muneeza, Mustapha and Zahra.

Farhat Paracha:



I don't find any difference between two fanatics, Osama and Bush. They are both fanatics. I don't see any difference. I think 9/11 made the world a terrible place for everyone, all over the world, killings are going on. Afghanistan is worse than it was, Iraq is worse than it was, and now they are after Iran. Iran is standing up. I wish our president would have stood up. They are like school bullies.

Muneeza Paracha:

When he was around, he was so protective towards us, all of us, especially the girls...now when I see myself in this position from that, it's such a contrasting situation. It's difficult especially for when example to when I'm in the office and there's only men around, I feel a little strange when I compare the two situations. It's difficult adjusting to such an environment at times but it's ok, I mean its ok, it's something, I've accepted it. It's a part of life.



Mustapha Paracha:



...there was no doubt in my mind, there is no doubt in my mind and there never was that dad and brother are innocent; they are not the kind of people that would do these sort of things. I mean, if you saw Dad before, he was a lover of Doritos and we went on a road trip to, from Canada to New York; we stayed at the Ramada.

Zahra Paracha:

My friends are all occupied in stuff like "does this shawl look good". Something is wrong with them, they should go to a psychiatrist, and I'm looking at stuff like Lebanon and Israel war and I know if I ever mention it to them, they will have the dumbest look on this planet because they won't know a single thing I'm talking about. The first reaction will be "will I still be able to go shopping" stuff like that. I soon realise they are only fourteen, and when I realise that, then I realise there is something wrong with me.



The Janjua Family



Masood Ahmad Janjua, a Pakistani educationalist and businessman has been missing from his home since 30th July 2005. It has been confirmed through various sources within the Pakistani military and intelligence services that Masood is being held in secret detention beyond the reach of the law. No allegations have been made against him and his family have not been given any official reasoning for his continued detention. He remains one of the many thousands of ghost detainees in Pakistan.

Amina Masood Janjua:



It is amazing, that Allah always helps, that when it looks like all the doors are closed, then one always opens. I haven't got anything, my husband is still missing, but I still have hope. Not just for myself, but for so many other people. I feel pressurised to help the other families, even if nothing happens for me, because I now have an obligation to them. So many people are hoping, they have such high hopes in me to help them. May Allah help us, for I am nothing, I can't do anything. It is

Khalid Khawaja and others who are guiding me, telling me how I should act and what steps I should take next. I have never done anything like this before.

The Faraz Family



Mechanical engineer Faisal Faraz disappeared with his friend Masood Janjua as the two were leaving for a short weekend away. Faisal disappeared on 30th July 2005, the last that was heard of him was the call that Masood received from him asking about his whereabouts. The Faraz family were visited by an unknown individual at their home who was asking about Faisal's activities following his disappearance.

Sohail Faraz:

They are soul-less people, these Pakistanis. Like before this happened, there were stories of miseries and everything coming along about the people here (others who have disappeared). We have been to every, every person, to the President, to the Interior Minister, to the Interior Secretary, in the Parliament. Today we went to the Chief Justice but he didn't meet us and he didn't meet us yesterday. He has given us time for next week; they don't know the urgency of the issue, the sufferings of the family. They are busy dealing with issues that are not so important. This is a very critical issue (of basic Human Rights) but something needs to be done to make them move. The President, he totally rejected the AI report, he said that it's a nonsense so what do you expect from anyone else if the head of the state is saying this. He's said in his book that he is sending people to America.

The Khan Family



4 Majid Khan

Since March 2003 Majid Khan was among those being held by the US in secret detention after it was suggested that he was an Al Qaeda operative. In late 2006 Majid was one of 14 'High-Value Detainees' moved from secret detention to Guantanamo Bay to face processing through the Military Commissions established by President Bush. The treatment of Majid has been of real concern to international NGOs particularly in light of evidence having been extracted from him during his time in detention.

Rabia Yaqoob:



The men came from the agencies to meet Majid's uncles and they were warned that they should not cause any fuss over his kidnapping, otherwise something bad would happen, so everyone got scared. When my brother-in-law was released, then they similarly warned him from raising any issue which once again renewed the fear of raising awareness about the illegal detention. We were all warned away from doing anything. My father-in-law had wanted to take a lawyer immediately and go to court, but due to the fear it didn't happen.

Minal Khan:

At the age of one, we would show Minal pictures and explain to her that this is who your father is. Just to give her an idea that this is who he is. She has since then started speaking to the picture saying things like the picture will get angry if she does something wrong, she tries to put the picture to sleep, to feed it, she cleans it, and even just today she was wiping the nose of her father using a tissue. She asks the picture so many questions. Whenever she is eating, she will always offer the picture food first. Every night she has a daily routine of praying for her father before she goes to sleep. She specifically asks God to bring home her father and also to bring home all the uncles that have been taken away from their families.

Khalid Khawaja



Khalid Khawaja, an ex-operative for the Inter-Services Intelligence of Pakistan, established the organisation Defence for Human Rights for the families of detainees being held in secret detention and held as part of the War on Terror. The organisation has been crucial in establishing a permanent lobby group in Islamabad to place pressure to give due process to those being held.

The message is that our people should be aware of our governments. To me this is a fight between the governments and the people. They want to rule over the people and they want to snatch away the rights of the people, they have created this war and people are generally unaware; so this war is against American people, against British people, against Pakistani people and against everybody. Just because some of these people want to dictate themselves over the people, so the people should just watch out and get hold of these governments and they should hold them from making their lives miserable and making the whole world miserable and creating the hatred amongst the societies and amongst the people.