

# Andy Vermaut: "The world should be aware that there are still 5,216 missing persons in Pakistan"

*The Enforced Disappearances Commission received 8,463 complaints in Pakistan.*

BRUSSELS, BELGIUM, July 8, 2022 /EINPresswire.com/ -- After reviewing thousands of files of persons who have vanished in Pakistan there is one important conclusion: the 5216 disappearances are still unsettling. Andy Vermaut, a member of the European Federation of Journalists and member from the international alliance for the defence of rights and freedoms (AIDL) and the fundamental rights movement Postversa attempts to persuade the international community to take immediate and international action on this important human rights issue in Pakistan. Despite Pakistan's vow to examine the disappearances, 5216 persons are still missing. Andy Vermaut analyzed all these united nations records, which not only include all the names, but also specify by which (government) agency the individuals were abducted and since when and where they precisely vanished. Andy Vermaut: "You can scroll through the hundreds of pages of names of people who have disappeared in Pakistan with their full names and where and often by which (state) actor in Pakistan they were kidnapped: 1. [Report on Enforced or Involuntary Disappearances Annex 1](#); 2. [Report on Enforced or Involuntary Disappearances Annex 2](#); 3. [Report on Enforced or Involuntary Disappearances Annex](#). These are all official reports of the United Nations Human Rights Body that you can also find under <https://www.ohchr.org/>.

"In Pakistan, hundreds of people have gone missing after being kidnapped by state agents," says Andy Vermaut. "The majority of them were never seen again. Pakistan is a place where individuals disappear from our midst, as if they evaporated into thin air. These are humans just like us, and the constitution of Pakistan normally gives them certain fundamental rights: the right to life, the right to liberty, and the right to a fair trial. A person who mysteriously disappears into thin air is conveniently unable to claim any of these, which is why this nasty method has piqued the interest of dictatorial authorities all over the globe. The missing individual may have



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*Andy Vermaut*

died, and their mangled corpse has been placed in a ditch. They may be interned, held up in some shady prison facility. Torture or abuse at the hands of brutal interrogators is a possibility. The law cannot protect them, since the state (the very agency in charge of guaranteeing such protection) has purposefully put the individual outside its grasp. Plausible deniability assures that any fingers pointed at public officials are based on circumstantial evidence at best, and mere supposition at worst. As a result, individuals and their families continue to suffer, stuck in a permanent limbo of hope and despair. After the Government of Pakistan established a committee for the investigation of Enforced Disappearances (COIED) in 2011 to find the missing individuals, this gained national and international attention.

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complaints. Since March 2011, only people from the KPK Province have been reported missing. The Commission reported to the Islamabad High Court in March 2022 that just 3,284 of 8,500 missing individuals in Pakistan had returned home in 11 years. There are still 5216 persons missing. Those who have returned have horrific accounts of cruel torture to relate. They came to life, yet they were dead in spirit,"declares Andy Vermaut.

Was the establishment of the COIED a failure?

Andy Vermaut:"The legislative structure governing the nomination and operation of the COIED does not fulfill international criteria for a successful inquiry, and consequently fails to meet Pakistan's obligation to protect the human rights of victims of enforced disappearance. The COIED Regulations describe enforced disappearance as "any individual who has been picked up/taken into custody by one of the law enforcement/intelligence agencies functioning under civilian or military administration in a way that is contrary to the provisions of law." Really? This formulation contradicts the notion of enforced disappearance in international law and omits essential aspects, possibly leaving a huge number of victims out of its reach. An enforced disappearance is defined by the International Convention for the Protection of All Persons from Enforced Disappearance as "arrest, detention, abduction, or any other form of deprivation of liberty by agents of the state or by persons or groups of persons acting with the authorization, support, or acquiescence of the state, followed by a refusal to acknowledge the deprivation of



**Still 5216 human beings**

Kidnapped by Pakistan

Andy Vermaut: "These are individuals whose families want. Please help us locate these individuals. We must advocate for these individuals. Please assist! These are also the world's inhabitants."

liberty or by concealment of the fate or whereabouts of the disappeared person. For a variety of reasons, the Commission's definition is problematic. It does not consider covert confinement or detention in which the detainee's whereabouts are unknown to be cases of enforced disappearance. It fails to realize that even if the restriction of liberty is not recognized or the detainee's whereabouts are not revealed, this will still constitute as an enforced disappearance under domestic law. It also fails to acknowledge that state officials are not required to carry out an arrest or abduction; it may be carried out by non-state actors with the "permission, assistance, or acquiescence of the state."

Are the families informed?

Andy Vermaut says: "Disappearing" is nothing new in Pakistan, where the military justifies it as a necessary weapon of national security in a country where hundreds have died in strikes by Islamic extremists and separatist rebels. It originated in the 1970s, but after 2001, it became normal practice among Pakistan's security organizations, particularly the espionage agency Inter-Services Intelligence (ISI). As Pakistan became a focal point in the United States' "war on terror," the ISI and paramilitary forces collected up hundreds of suspected al-Qaida terrorists for the US government, who surreptitiously transferred them to Guantánamo Bay. Targets of abduction include suspected Islamic or separatist militants, as well as political opponents, activists, students, legislators, human rights advocates, journalists, and attorneys, who are all taken without due process and with no information provided to their families. Pakistan's security authorities routinely deny any involvement in disappearances. In the few judicial proceedings that have taken place, ISI and military commanders have claimed that victims are either hiding in the mountains or were murdered by the Taliban. In September 2021, a report issued by the International Commission of Jurists (ICJ), Geneva, Switzerland, stated unequivocally that the commission had failed to bring a single culprit accountable in nine years. The Commission's presence has been often utilized by the Pakistani government to claim responsibility and show political determination to address the problem of enforced disappearances. According to the United Nations Working Group on Enforced and Involuntary Disappearances (WGEID), "there is a climate of impunity in Pakistan with regard to enforced disappearances, and the authorities are not sufficiently dedicated to investigating cases of enforced disappearance and holding perpetrators accountable."

PTM emergence

Andy Vermaut says aloud: "In 2013, a group of internally displaced university students in South Waziristan launched a grassroots campaign advocating for the Mehsud, a Pashtun tribe, to be granted the right to life and property. The Mehsud Tahafuz Movement (MTM), led by human rights activist Manzoor Pashteen, demanded the demining of the Mehsud territory, impartial investigations and trials of those involved in the enforced disappearances of the tribe's men, an end to humiliating practices against locals at security checkpoints, extortions, and targeted killings (whether by the Taliban or during military operations), and fair compensation for properties damaged as a result. The MTM's voice was not heard in the media, but the movement was gaining traction among the people of South Waziristan, North Waziristan, and Dera Ismail Khan. Over 70,000 Pashtuns have killed in the post-9/11 fighting. There isn't a family in the area

that hasn't lost a loved one. In early January 2018, police in Karachi murdered an IDP called Nageebullah Mehsud on suspicion of Taliban links. In order to get justice for Mehsud, campaigners planned a 300-mile march from Dera Ismail Khan to Islamabad, travelling through major towns in the KP and Punjab provinces. Pashtuns from neighbouring areas joined the demonstrators as they drove their caravan of buses, wagons, vehicles, and motorbikes from city to city. By the third day, when they arrived in Peshawar, the capital of the KP province, they had chosen to call the MTM the Pashtun Tahafuz Movement since they were demanding protection (Tahafuz) for all Pashtuns, not just those of the Mehsud tribe. The Pashtun community as a whole had been subjected to the same harsh practices, resulting in the same problems. The organization has now created a forum for all ethnic Pashtuns to come together. That is how a political movement grew from the ground up via indigenous political activities of young and educated people who believed in non-violence. Meanwhile, the PTM has continued to use civil resistance techniques and tactics in order to accomplish its objectives: the PTM asks that the Government of Pakistan Ratify or Acknowledge the "International Convention for the Protection of All Persons from Enforced Disappearance." Human rights violations in Pakistan would persist in the absence of robust UN scrutiny."

Also comprehensive rehabilitation

"I, Andy Vermaut, additionally demand that: enforced disappearances be made a distinct criminal offense in accordance with the internationally recognized definition set forth in Articles 2 and 3 of the International Convention for the Protection of All Persons from Enforced Disappearance. The penalty for enforced disappearance should be proportionate to the nature of the offense, as it is for related crimes such as murder. To examine human rights violations perpetrated during military operations in the Pashtun area, a truth and reconciliation commission must be constituted. National laws and regulations require fast, comprehensive, and impartial investigations into charges of enforced disappearance in order to prosecute those guilty; subordinates who commit enforced disappearance cannot utilize the defense that they were following orders or instructions from superiors. The crime of enforced disappearance must not be subject to prescription or statutes of limitations, and it must be recognized that the crime is continuous in nature and continues for as long as the fate and whereabouts of the "disappeared" person are unknown, leaving the person without legal protection. Only competent civilian courts should have jurisdiction over alleged enforced disappearances, and military courts are barred from having jurisdiction over alleged military human rights violations; and superiors bear criminal responsibility for enforced disappearances where such persons knew or ought to have known that a subordinate was committing or about to commit the crime, but failed to take all necessary and reasonable measures to prevent it. The Government of Pakistan develops clear rules and dedicated institutions to ensure the oversight and accountability of law enforcement and intelligence agencies, as well as providing appropriate human rights training to members of law enforcement and intelligence agencies, with a particular focus on enforced disappearances. Any type of incommunicado custody, as well as hidden sites of detention, must be outlawed; and an official and widely available, up-to-date registration of all prisoners, as well as centralised registries of all places of detention, must be maintained. Pakistan must establish a compensation scheme for all victims of enforced disappearances, including family members and

any people directly impacted by the disappearance. The program should contain not only restitution, but also comprehensive rehabilitation, satisfaction, including the restoration of dignity and reputation, and assurances of non-recurrence," says Andy Vermaut.

## Role Models

Andy Vermaut:"Manzoor Pashteen, the PTM's founding leader, said during a rally in Dera Ismail Khan on July 15, 2018, that the source of the PTM's strength is unique from the army and militants who depend on firearms. "We depend on the strength of our patience... the strength of our courage... the strength of our love for our nation... the strength of our relationships of respect and dignity with our moms and sisters," Pashteen added. We fight them (military and terrorists) with nonviolent empty hands." However, it seems that people who wield authority via the barrel of a rifle only comprehend the language of power. Nonviolence is seen as a sign of weakness by them. I believe that Martin Luther King, Mahatma Gandhi, Nelson Mandela, and Desmond Tutu are role models to follow. Pakistan's coup against nonviolent organizations like as the PTM continues unabated. All measures are being deployed, from school curriculum revisions to brainwash the young to activist enforced disappearances. All internal civil society activities and nonviolent community resistance have failed to produce any discernible shift in the security establishment's thinking. It is genocide under the definitions of the United Nations and Human Rights Law. I, Andy Vermaut believe that until the international community links all of its assistance and trade initiatives to Pakistan ratifying international human rights treaties, the terrible status of human rights violations in Pakistan would not change. If the world does not awaken from its sleep, the only and first nonviolent political movement to emerge from the grassroots will be stomped to extinction, and unending war will be the region's only destiny. I hope we can prevent this," highlighted Andy Vermaut. "When a loved one goes missing, friends and family endure an anxious wait for their return or to learn what happened to them," says Andy Vermaut, member of the European Federation of Journalists, and volunteer for the International Alliance for the Defence of Rights and Freedoms (AIDL) with consultative status with the UN (Ecosoc) and the fundamental rights organisation Postversa. "Some people go lost and are never recovered, but they are never forgotten. Yes. The word "missing person" has diverse implications in Pakistan. In the world, causes for a loved one going missing may include mental illness, misunderstanding, misadventure, domestic abuse, and becoming a victim of crime, but no, never ever state agency abductions if we hear Pakistan in the corridors of the United Nations Human Rights Council and this while the evidence is on the table!"

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