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Enforced Disappearances in Pakistan: A Legal Analysis under Domestic and International Human Rights Law

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ABSTRACT

Pakistan has been enforcing disappearance as a form of detention since the 9/11 because the detainees are forcibly abducted or arrested, and the state refuses to acknowledge their detention. In this article, the issue is analyzed both in the domestic law and the international human rights law. It looks at the constitutional rights (the right to life, liberty and due process) of Pakistan and the penal legislations and the international commitments of the state. It concludes that the problem of enforced disappearances is a gross violation of the basic rights and freedoms contained in the Constitution of Pakistan and the conventional international law and treaties to which Pakistan is a signatory. The socio-political context is also discussed, with the researchers indicating that counterterrorism activities (especially the post-2001 War on Terror) have served as the justification to these unlawful activities, which have mostly targeted political activists and minority groups. This has led to a robust local campaign against it, which has demanded the judiciary to bring security agencies to book. The article underscores that even in case of security exigency we should not have such serious violations and points at the necessity of legal changes and responsibility. The article ends up giving policy recommendations that both Pakistan and the international partners should follow to stop impunity on enforced disappearances and upholding the rule of law.

Keywords: Enforced Disappearances; Pakistan; Human Rights; Constitutional Law; International Law; Accountability

Introduction

Forced disappearance, which is an action of taking a human being secretly or imprisoning him or her and denying his or her destiny is considered to be a grave human rights violation. This has been highlighted in Pakistan particularly after the 9/11. Pakistan is a democratic country in theory, but its historical background is stained by military dictatorship and consequent human rights violations. Article 25 of the Constitution of Pakistan declares that all citizens are equal before the law and they have equal protection of the law. Though this is guaranteed, a good number of Pakistanis believe that their life and security are not being sufficiently safeguarded and this apprehension has been confirmed by various cases of forced or involuntary disappearances all over the nation. They normally kidnap victims without a warrant, confine them in secret detention, and



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torture them, yet no one informs their families. The atmosphere of fear is so great that families are even afraid to even report disappearances, so many of them are not even brought to the courts or the media.¹

The disappearances issue became acute under the premise of the U.S.-led War on Terror, where Pakistan has been a frontal partner. Security agencies in Pakistan have since the early 2000s been accused of employing enforced disappearances as a counterterrorism measure, which is not only directed against terrorism suspects, but at the national security pretext, at domestic critics and political dissidents. According to human rights groups, such practices have specifically impacted activists promoting regional and ethnic rights in such regions as Sindh and, above all, Balochistan. In such areas natives expressing opposition or seeking independence i.e. more power to manage local resources have often been rounded up by security agencies and never seen again.²

This paper discusses the legal aspects of enforced disappearances in Pakistan and poses the question to which extent does the Pakistani government meet its role in keeping its citizens safe against such disappearances. It pays attention to the domestic law in Pakistan (constitutional provisions and crime law) and international human rights of the country regarding enforced disappearance. It further reflects on the part of the judiciary and the civil society in Pakistan to face this challenge. The key aspect of this query is the right to the truth on the fate and whereabouts of disappeared individuals and the obligation of the state to investigate and solve such cases. The interrogative is: What is the role of the Pakistani government, and to what limit does it guarantee the right to truth on the fate and whereabouts of the disappeared persons, and the duty to locate and hand them back to security?

Literature Review

An increasing literature and reports of human rights organizations report the high occurrence of enforced disappearances in Pakistan. Research has shown that the issue is not a localized problem in a specific area and that the issue is global, even though Balochistan has been a hot spot. NGOs like Human Rights Watch have documented several instances of individuals being abducted in broad daylight by areas frequented by people like buses, shops, and universities, and are usually snatched by armed men in plain clothes who organize a group of them. It has been observed in most of the cases that abduction is done in a series of vehicles (mostly pickup trucks) and the culprits are suspected to be either members of Pakistani security agencies or allied militia. The trend of disappearance by choice is especially worrying: there is a growing tendency of certain activists and threatened dissidents being freed after months of covert detention, only to be kidnapped once again. Despite the release of victims, they hardly ever come out, talk at length about their experience, presumably because of intimidation or fear of reprisals. This secrecy and silence complicate the process of deciding the extent of the abuse.³

The reaction of the Pakistani government to these charges has been quite poor. Authorities have not managed to end disappearances, particularly in the Balochistan, which is prone to conflicts despite periodical promises. Balochistan is usually associated with a nationalist insurgency that has spanned a long time and battles over provincial

¹ Fazi, M. A. (2020). Enforced Disappearances and Constitutional Guarantees in Pakistan: A Human Rights Perspective. *European Journal of Social Sciences*, 59(3), 288-299.

² Shafiq, A. (2013). The War on Terror and the Enforced Disappearances in Pakistan. *Human Rights Review*, 14(4), 387-404.

³ AHMED, I. (2020). *A Comparative Analysis Of Laws And Mechanisms Against Enforced Disappearance In Pakistan And Nepal In Light Of The International Human Rights Instruments* (Doctoral dissertation, Mahidol University) (Doctoral dissertation, MAHIDOL UNIVERSITY).



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rights. Although the authorities have occasionally admitted that there should be a political resolution to the unrest, in reality little has been done to engage in dialogue or reconciliation with Baloch nationalist groups. Rather, the crackdown of security has persevered, and it is one of the contributors to a vicious cycle of violence and mistrust.⁴

There has been a great concern by international bodies. The United Nations Working Group on Enforced or Involuntary Disappearances (WGEID) visited Pakistan in 2012 and the WGEID in its 2013 report expressed its alarm at the fact that the problem of enforced disappearances continues to persist within Pakistan. The Working Group came up with a number of recommendations with the foremost one being a call on Pakistan to ratify the International Convention on the Protection of All Persons from Enforced Disappearance. Enforced disappearance is an international term that the UN General Assembly adopted in 2006 through this treaty, which states that it is the duty of states to prevent and punish forced disappearance. Pakistan is a signatory to the convention but has not ratified it, i.e. its terms are not yet legally binding in the country) The WGEID also urged the Supreme court of Pakistan to use the concepts of the convention in its decisions. But little has been done on these fronts, indeed the government of Pakistan did not even ratify the convention, but on some occasions actually made attempts to sabotage judicial actions which applied international disappearance norms.⁵

These findings are supported by several reports conducted by Amnesty International and even by the human rights organizations in Pakistan. In an example, Amnesty, in 2008, in their report titled *Denying the Undeniable: Enforced Disappearances in Pakistan* listed dozens of incidents and concluded that the practice was systemic, with the intelligence agencies in Pakistan acting with impunity. These reports put enforced disappearance in perspective as a human rights crime and the violation of a myriad of rights: the right to be free of arbitrary arrest, the right to fair trial, the right to be recognized as a person before the law and the right to be free of torture or cruel treatment among others. Overall, the literature confirms that enforced disappearances in Pakistan are a prevalent and chronic phenomenon, one which has been forbidden by both domestic and international legal standards yet which continues to exist because of a lack of application, the inadequacy of rule of law in security affairs, and political apathy or complicity.⁶

Methodology

This study uses an interdisciplinary methodology of studying forced disappearances in Pakistan. A doctrinal legal study was made in which the texts of pertinent treaties, domestic law and judicial rulings have defined the right to life, liberty, due process and protection against arbitrary arrests. The constitutional clauses (including Article 9 on the right to security of person and Article 10 on the protection against arrest and detention) were examined in accordance with the international standards along with the penal code of Pakistan. The relevant international legal instruments and obligations such as customary international law prohibitions as well as human rights treaties into which Pakistan has ratified or signed were also reviewed in the study.

Alongside legal analysis, there was qualitative approach. Secondary sources, including academic articles, reports by non-governmental organizations, and legal commentaries, were analyzed through a content analysis that was useful to contextualize the legal

⁴ Naseem, F., Zainab, H., & Umar, M. A. B. (2022). *Enforced Disappearances in International Law and Regional Comparison: An Analysis*. *Global Legal Studies Review*, VII (IV), 1-10.

⁵ Andreu-Guzmán, F. (2002). The United Nations Working Group on Enforced or Involuntary Disappearances.

⁶ Solla, M. F. P. (2006). *Enforced disappearances in international human rights*. McFarland.



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framework in the social-political reality of Pakistan. In addition, the study also used observations of semi-structured interviews. Various stakeholders, such as lawyers, human rights activists and families of the disappeared, were also interviewed to understand the opinion of people and their personal experiences in case of enforced disappearances. The interview with the relatives of the victims and those that were published earlier were also taken into consideration. By triangulating legal texts, documented cases, and first-hand accounts, the research was expected to reconstruct the letter of the law, as well as the ground realities, and as such, evaluate the areas of gaps or inadequate implementation whereby the enforced disappearances are perpetuated.

Research Findings

Enforced disappearances are considered an outright illegal act and action under the international as well as Pakistani law. The ways of secretly detaining anyone and refusing to say anything about their location are not only against the norms but also binding on all states internationally. The 2006 convention on enforced disappearances of the United Nations General Assembly (which has not been ratified by Pakistan) stipulates that such an action by the state agents, followed by the denial of the detention by the state, subjects the individual to be beyond the gaze of the law, and is illegal. In addition to this particular convention, the ban on enforced disappearance is deemed to be under the customary international law, i.e. it applies to Pakistan even in the absence of the formal ratification. The human rights law in the region and elsewhere in the world secures the right to life and liberty and security of person, and freedom of torture and arbitrary detention which an enforced disappearance contravenes in a single blow.⁷

Pakistan has laws and a Constitution within its borders which ought to protect against this kind of abuse. The Constitution ensures that no one is to be robbed of life and liberty without being legally tried and it forbids torture and arbitrary arrest. Enforced disappearance violates these guarantees and it violates Article 9 (security of person), Article 10 (due process rights of detainees) and Article 14 (the right to dignity and protection against torture). Abduction and wrongful confinement is also criminalized by the Pakistani criminal law. Nevertheless, these clear standards of law have not stopped the practice of enforced disappearances meaning that there is a serious lapse in the enforcement and accountability measures. Effectively there has been a parallel, illegal system of detention at work that has been funded by agencies within the state security apparatus against not only the national laws, but also against the international promises.⁸

Trends in enforced disappearances: The study establishes that the wave of enforced disappearances in Pakistan is strongly associated with its internal security policies since the period after September 2001. By becoming a part of the world War on Terror, Pakistan not only targeted militant extremists but also initiated the application of unusual force on a range of undesirable factors, without much differentiation between violent terrorists and nonviolent dissidents. Jacketing in has been used by the security agencies especially the intelligence services and the paramilitary forces to round up those perceived to be threats to the national security or the status quo. They involve Islamist militancy suspects, but also political activists, journalists and students, particularly those in insurgency troubled regions such as Baluchistan or belonging to minority ethnic

⁷ Hassan, T. (2009). The Supreme Court of Pakistan and the case of missing persons. *Asia-Pac. J. on Hum. Rts. & L.*, 10, 23.

⁸ Ali, M. I. (2023). Unveiling Shadows: Jus Cogens Imperative To Criminalize Enforced Disappearances In Pakistan. *Vietnamese Journal of Legal Sciences*, 9(02), 90-114.



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groups with a separatist orientation. The War on Terror offered an easy excuse to crack down on any form of opposition in the name of counterterrorism.⁹

There is a general modus operandi, which is revealed through testimonies and case studies. Normally, victims are kidnapped by armed men who usually come in more than one vehicle (a strategy of implying that it is an organized crime). The attackers are often anonymous but are generally assumed to be operating in agencies like the Inter-Services Intelligence (ISI), Military Intelligence or even paramilitary Frontier Corps. The prisoners are then kept incommunicado in unknown locations. In the process, they are often tortured or otherwise ill-treated. No legal representation or visitation by family is permitted and no formal charges are filed essentially putting the individuals beyond the law process or protection. In other situations, the missing are released later on without any explanation, in others, they just go missing years later. Unfortunately, others are found as corpses, victims of extra-judicial murders, their bodies showing torture marks.¹⁰

Government and military position Government: Pakistani governments, especially those led by the military, have in many cases been in denial regarding the problem. During the rule of General Pervez Musharraf (1999-2008), e.g., dozens of disappearances started being reported, but the officials denied it categorically. President Musharraf furiously denied the claims as nonsensical and baseless when they were presented to him by the Amnesty international in a report of such instances in 2006. According to him, most of the so-called missing persons had, in fact, gone underground to join militant groups, and categorically refused to acknowledge that intelligence agencies had any of them. This position of the official, who denied the detentions and did not disclose any information, ensured that relatives toiled in painful suspense and murderers were free.¹¹

At one point, the Pakistani court has tried to put a check on enforced disappearances. The Supreme Court led by Chief Justice Iftikhar Chaudhry also picked up a number of missing persons cases and demanded explanations by the security agencies in 2006-2007. This judicial activism left a challenge to the Musharraf executive. The executive branch responded by retaliating: in March 2007, Musharraf suspended the Chief Justice and in the same year declared a state of emergency, partly in an attempt to suppress the judiciary interference. In the unrest, several arrested militants were set free or fled with security forces going to greater extents of targeting civilians in the guise of tackling terrorism. The outcome was the further intensification of the crisis, as the human rights abuses by the state service remained unchallenged, and the tension between the forces of the military and the intelligence community in Pakistan shifted even more.¹²

By the victims and the society: The human cost of forced disappearance is devastating. Disappeared families live in limbo and in most cases, these disappearances last several years without information on whether the disappeared individual is dead or alive. They are subjected to psychological trauma and in other cases, severe financial and social effects. The bright example is the situation with Zeenat Shahzadi a 24-year-old journalist at Lahore who was kidnapped in 2015. Shahzadi was a campaigner in support of the

⁹ Zainab, H., Umar, M., & Zaman, H. (2025). Understanding the Dilemma of Enforced Disappearances and Arbitrary Detentions in Pakistan: A Critical Study of the Legal Framework and National Security Justifications. *ASSAJ*, 4(01), 1262-1272.

¹⁰ Patel, P., & Sharma, S. (2022). Enforced disappearances: a major human rights issue in Balochistan. *Journal of social and political sciences*, 5(4).

¹¹ Malek, A. (2024). State Responsibilities and the Combatting Against Forced Disappearance in Bangladesh: Institutional and Legal Challenges. *Pakistan Journal of Criminology*, 16(04), 1407-1422.

¹² Singh, M., & Rawat, S. (2019). An Analysis Of Transitional Justice Systems For Enforced Disappearances In South Asia.



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release of a lost Indian national when she was disappeared by unknown men on her way to work. After it, her younger brother, who had been desperate after trying in vain to locate her, committed suicide and her mother was pushed into shock and coma. This family tragedy highlights the consequences of the disappearances: the trauma is transferred to families and societies and fertilizes fear and powerlessness.¹³

There is an indication of being intimidated and silenced as in other cases such as the kidnapping and subsequent murder of three high profile Baloch activists in April 2009. Political figures who promoted the Baloch rights were Sher Mohammed Baloch, Ghulam Mohammed Baloch and Lala Munir. They were kidnapped at the office of their lawyer in a meeting, having been said to have been threatened by them because of their activism. Their corpses were discovered days afterwards, and were disembowelled with signs of great torture. Such cases are a chilling message to other people: you can be the cruelest in punishment, when you are voicing what the state is doing. Thus, the activists and regular citizens self-censor or run away in conflict zones, undermining the democratic rhetoric and faith in the state institutions.¹⁴

Discussion

The findings paint a grim picture of the rule of law in Pakistan when it comes to enforced disappearances. Despite clear legal prohibitions, the practice has persisted due to a combination of factors: security-driven policies, lack of accountability for powerful agencies, and an anemic response from civilian authorities. This discussion examines the implications of these findings and what they reveal about governance and human rights in Pakistan.¹⁵

First, the persistence of enforced disappearances reflects a troubling security paradigm. The Pakistani state's heavy-handed approach to dissent justified in the name of counterterrorism and national unity has created an environment where fundamental rights are subordinated to vaguely defined "security" interests. This approach is counterproductive: by violating citizens' rights and denying justice, the state breeds alienation and unrest, particularly in regions like Balochistan. The ongoing conflict in Balochistan, marked by grievances over political autonomy and resource control, illustrates that a purely militarized response only exacerbates the situation. The increasing crisis in Balochistan, as noted, actually provides an opportunity for the state to change course and engage with disaffected communities to maintain stability. Instead of treating local populations as enemies, the government needs to address their legitimate demands through dialogue and equitable development. A failure to do so risks further inflaming separatist sentiments some analysts even warn it could lead to scenarios as dire as a repeat of the 1971 secession of East Pakistan (now Bangladesh) if discontent is allowed to boil over.¹⁶

Second, the tension between Pakistan's civilian institutions and its military-security apparatus is a central theme. The judiciary's attempts to assert fundamental rights have been met with resistance from the executive and military, revealing a power imbalance. Democratic governance in Pakistan has often been undermined by the outsized role of the military and intelligence services in policymaking and security operations. These entities

¹³ <https://www.dawn.com/news/1365073>

¹⁴ Fletcher, L. E. (2014). The right to a remedy for enforced disappearances in India: A legal analysis of international and domestic law relating to victims of enforced disappearances. *International Human Rights Law Clinic, Working Paper Series*, (1).

¹⁵ Rehman, J. (2010). *International human rights law*. Pearson education.

¹⁶ QAISER, Z., & QAISER, K. (2017). *Dysfunctional Law Against the Crime of Enforced Disappearances in Pakistan*.



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have historically operated with little transparency or oversight when dealing with perceived security threats. As the research indicates, raising the political will of the elected government is necessary but not sufficient. Even well-intentioned civilian leaders face the reality that real power (especially over security matters) often resides with the military establishment. The dominance of the military and bureaucratic elite in Pakistani politics means that rogue elements can commit human rights violations without explicit orders and sometimes without the knowledge of the civilian leadership. This structural imbalance enables a “culture of impunity,” where security forces assume they will not be held accountable for abuses. Therefore, any solution must involve reforming civil-military relations: bringing security agencies under tighter legal oversight and reaffirming the supremacy of civilian law and courts in all matters of detention and security.¹⁷

Third, the international dimension cannot be ignored. Pakistan’s reluctance to fully embrace international norms (e.g. not ratifying the enforced disappearance convention) and the slow implementation of U.N. recommendations show a gap between its international rhetoric and domestic action. However, the international community, particularly Western allies like the United States and United Kingdom, also bears some responsibility. These countries have partnered closely with Pakistan’s military and intelligence agencies in counterterrorism efforts. In doing so, they have sometimes overlooked human rights abuses. The discussion suggests that global and regional actors should exert pressure on Pakistan to uphold human rights, using both diplomacy and the leverage of security cooperation. International organizations and partner states can insist on accountability as a condition for military aid and training, helping to “end the structural exemption” that Pakistani security forces enjoy. By aligning counterterrorism assistance with human rights standards, Pakistan’s allies can encourage a shift in behavior within the security sector.¹⁸

In summary, enforced disappearances in Pakistan represent a profound governance and human rights failure. They undermine public trust in the state, victimize innocent citizens, and violate Pakistan’s own laws and values. The discussion highlights that tackling this issue requires more than just acknowledging it; it demands systemic changes—strengthening the rule of law, civil oversight of security forces, political reconciliation in troubled regions, and a commitment from international partners to prioritize human rights in their engagement with Pakistan. Without such changes, enforced disappearances will continue to stain Pakistan’s human rights record and fuel instability.

Recommendations

Both Pakistan and the international community should undertake comprehensive measures in regard to tackling the crisis of enforced disappearances. Regarding the findings and analysis of the research, the key recommendations will be offered in a policy-oriented framework:

Enhance domestic accountability and legal reforms:

The Government of Pakistan needs to show the political will to eliminate enforced disappearance through prosecuting the offenders. This starts with investigations that are

¹⁷ Badalič, V. (2019). The “disappeared”: Civilian victims of enforced disappearances in Pakistan. In *The War against Civilians: Victims of the “War on Terror” in Afghanistan and Pakistan* (pp. 151-170). Cham: Springer International Publishing.

¹⁸ Zaheer, B., Saddique, A. A., Ulla, H. M. H., & Kashif, M. (2025). Violation of human rights in Pakistan, challenges and progress. *The Critical Review of Social Sciences Studies*, 3(1), 1864-1878.



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comprehensive and unbiased on all claims of enforced disappearance. All the reported cases are to be followed up until the fate and the whereabouts of the person are determined. The victim should not be the only one who should be investigated, but even those who do the abduction, detention, torture or any other kind of harm should be identified and prosecuted. All the security personnel of any rank or affiliation who are discovered to have ordered or executed a disappearance should be criminally liable. This would in effect translate to giving investigative agencies and law enforcement powers to operate freely. The police and the national Commission of Inquiry on Enforced Disappearances (established to trace missing persons) ought to be given the power, means, and freedom to pursue leads even when they lead to high-ranking intelligence agencies or the military. To make this easier, security agencies need to be forced to provide access to their record books, detention facilities, and staff when the disappearance case is being investigated.

Legal reform is also crucial. Pakistan needs to pass certain laws criminalizing enforced disappearance as a crime per se according to the international definitions. Nowadays, individual crimes such as abduction and wrongful confinement are criminalized but there is no specific clause that covers the entire scope of enforced disappearance (the unwillingness of state to recognize the act). An enacted legislation would bridge this loophole and will create an indication of zero tolerance to such practices. Moreover, current legislation permitting the extension or random arrest should be amended. Anti-Terrorism Act of 1997, the Maintenance of Public Order Ordinance of 1960, the colonial-era sedition law (Section 124-A of the Penal Code) and others have been abused and used to keep people in custody without any obvious charges. Such laws ought to be revised so that they do not allow them to be used to cover illegal detentions. Simply put, the legal action should unambiguously postulate that there should be no emergency or special conditions that allow secret detentions or the denial of due process.

Procedural protection of the detainees:

To avoid recurrence of disappearance of people, the authorities of Pakistan ought to put in place stringent procedures when any of the security agencies make an arrest or a detention. As soon as the person is arrested, an official has to document the arrest and explain the reason to the detained person. The families of the detainees need to be informed in time of the arrest and the place where the individual is detained. The detainees are supposed to be allowed access to a lawyer and the right to be heard before a magistrate within the time presented by the law (usually 24 hours) under the mandate of the Constitution. There should be no imprisonment in unofficial and secret prisons, all prisoners deprived of liberty must be held in a known detention center which is open to judicial review and inspection. Enforced disappearances can be done away with by creating transparency during arrest to prevent the grey zone where such cases are perpetrated. Furthermore, the officials that delay or do not reveal a detention should be disciplined. The establishment of a central database of detainees that is available to the oversight agencies and courts would help in this process that would mean that security forces would find it difficult to keep the prisoners under the carpet.

Strengthen and restructure oversight institutions:

The judiciary and human rights institutions of Pakistan must be empowered in order to be more aggressive. The supreme court should also keep hearing habeas corpus requests and insist on the military and intelligence to abide by them. Failure to follow the court orders to produce a detainee should have legal repercussions to the offenders who defy the order



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which includes being in contempt of court. The Commission of Inquiry on Enforced Disappearances must have a greater mandate and capability. It ought to become a body that can initiate prosecutions as opposed to being a fact-finding body. This can include more cooperation with the courts and establishment of special investigation units that operate under the guidance of the Commission. To promote the credibility of the Commission, it can be ensured that the Commission has independent human rights practitioners in its membership and that the Commission releases reports publicly on its progress. In addition to the Commission, the parliament of Pakistan must use its oversight mandate by conducting hearings on enforced disappearances and demanding security officials to provide any alleged actions. The human rights and national security parliamentary committees can also examine the enforcement of the laws and actions of the agencies, which can serve to close the accountability gap.

Political and social actions in the affected areas:

The government must augment the reforms of the security in the affected areas with political involvement in Balochistan and other affected regions. Good faith attempts to solve provincial grievances would weaken the justification of the hardliners to make enforced disappearances. Some of the steps would involve applying constitutional clauses to distribute local resource revenues fairly to Balochistan (both in terms of redressing economic marginalization and decentralizing the distribution of political representation) and revising recruitment policies to increase the representation of underrepresented groups (such as Baloch and Sindhs) in the military, police, and civil service. Such actions would be an indication to the immediate communities that they are also valuable stakeholders in the state and they do not necessarily need to use force as the sole state reaction to their demands. Also, offering support and rehabilitation to the families of the victims including psychosocial counseling and financial help is significant in the healing and building of trust.

The role of the international community:

The international partners of Pakistan, particularly the ones that have close associations with its security agencies (mostly the United States and the United Kingdom) are supposed to use their influence to bring an end to enforced disappearances. They need to state this through diplomatic interactions that they will not tolerate recurrent forced disappearances and that they will enforce the same. As an illustration, the defense and security sphere aid or cooperation may be conditional upon the real improvement of human rights. As a leading donor of military aid, the United States has a legal weapon at its disposal the Leahy Law, which bans security aid to any foreign military unit, which has been involved in massive human rights abuses. The binding of the Leahy Law to the Pakistani units implacably charged with forced disappearance would put the military of the country under pressure to purge itself or lose the valuable assistance. Just as the training programs or intelligence-sharing arrangements ought to avoid any Pakistani agencies that are known to be involved in such abuses until such time reforms are put in place. Pakistan needs to keep the international human rights organizations and U.N. mechanisms putting a spotlight on its record and this should ensure that the cases of disappearances are still being kept on the global agenda. International community can assist Pakistan to fulfill its human rights by ensuring constant pressure and providing technical support to reforms (through training police in investigative skills or assisting to modernize the judicial system).



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Essentially, these suggestions demand a multi-dimensional response: change inside Pakistan, both legal and institutional, as well as principled intervention by foreign countries. Enforced disappearances are not those issues that can be resolved in one night, however with constant efforts to adopt such measures, Pakistan can make a step towards the elimination of this action and justice to those people who had never received it.

Conclusion

Enforced disappearances in Pakistan form part of some of the worst challenges to the rule of law and human rights in the nation. It is a disastrous phenomenon that has caused immense pain to the victims and their families due to decades of security-prejudiced state policy in addition to the lack of effective control. The state has no reason to kidnap its citizens and imprison them in secret in any country where the law of the land, both the domestic and international law, contradict this notion and the core values of human dignity and justice. However, this analysis has demonstrated that even in the post-9/11 period, the practice has prevailed in Pakistan under the guise of national security.

The legal review confirms that Pakistan possesses all laws required to on paper to avert enforced disappearances constitutional protections, criminal restrictions and international obligations. The underlying failure has been the implementation. This act of impunity where the state agents work against the constitution when they are not supposed to is a challenge to the confidence of people not just in the security establishment but also in the principles of governance themselves. Things are promising: at different moments, the Pakistani judiciary system, media and civil society have taken their protests and forced the state to alter captures. Such a strong campaign against the vanishings in Pakistan is the testimony of the society not to tolerate injustice. It is due to this pressure that there has been a recognition of the problem and that there are systems such as the missing persons commission in place.

But it is not sufficient to be recognized. To achieve a sustainable resolution, Pakistan needs a policy and a change in attitude to realize that, the real security does not lie in the tramping of the citizens and their rights. The above recommendations are a guide to reform: they focus on accountability, clarity on the law, institutional empowerment, and international support. Such actions would not only put Pakistan in line with its duty to the human rights but also enhance its democracy and cohesion by making sure that every citizen in Pakistan feels that his/her life and liberties count.

Conclusively, enforced disappearances are a black spot in the human rights of Pakistan, yet it is not hopeless. Through concerted efforts, political goodwill and even the society watch, Pakistan will be in a position to meet its obligation of safeguarding all the persons against this atrocious act as it is required by both domestic and international law. The road to the cessation of enforced disappearance will be a difficult one, yet it is not only a question of legal duty but also of moral need, it will redeem the honour of the law, it will hold the state to responsibility, it will bring happiness to the families of the countless victims.

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