



Asian Federation Against Involuntary Disappearances (AFAD)

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AFAD's Statement for the 11th year of Masood's Enforced Disappearance in Pakistan

30 July 2016 – Today, July 30, 2016, is the eleventh year since the disappearance of Masood Ahmed Janjua, which occurred on July 30, 2005 during the military regime of General Pervez Musharraf. A respectable citizen of Pakistan, before his disappearance, Masood Ahmed Janjua was an educator and a businessman by profession. Mr Janjua was more than a businessman; he was also a philanthropist and he managed a charity hospital for the poor.

On the day of his disappearance, he left home to travel to the north western part of Pakistan, together with his friend Mr. Faisal Faraz. Neither of them reached their destination, nor returned home. According to Mrs Amina Masood Janjua, numerous former detainees testified having seen her husband confined in a secret detention cell managed by the country's secret agencies.

One among these detainees, Dr. Imran Munir, had remained himself in the custody of the same secret agency for over a year before being recovered by the Supreme Court of Pakistan. Dr. Munir testified under oath that he had met and conversed with Mr Janjua during the time he was subjected to enforced disappearance by the same authorities. After this testimony, Mr. Imran Munir was threatened in such a manner that he had to leave the country. Presently he is in exile and living as a refugee under the UN refugee program. Indeed, powerful hands are making all efforts to ensure Mr. Munir's statement in favor of Mr Janjua is not recorded.

A case of *habeas corpus* for Mr Janjua has been pending in front of the Supreme Court of Pakistan for the last eleven years. Pakistan's Supreme judiciary has at times shown to be strongly determined to tackle enforced disappearances and has acted accordingly to achieve this goal. Although this fact needs to be recognized, it lacks perseverance and consistency. Indeed, over the years, the Supreme Court of Pakistan has taken contradictory approaches in relation to cases of enforced disappearance: while in certain cases, it acted quite vigorously, on others it put them on hold for months, or even for years. Because of this, hundreds of cases, including that of Mr Janjua, remain unresolved.

As a result, AFAD urges the Supreme Court of Pakistan, one of the most powerful organs of the State, to make use of its constitutional powers in order to recover Masood Ahmed Janjua as well as thousands of other disappeared people whose fate and whereabouts are still unclear.

This failure in the administration of justice is not only attributable to the complete powerlessness of the police in investigating criminal cases where personnel of armed forces are accused; it is also a direct consequence of the lack of will of the Government of the country. While Pakistan claims to be moving towards adherence to democracy and human rights, the continuing impunity for human rights violations can seriously undermine its stability and democratic reforms.

The long awaited resolution of the case of Mr Janjua's is a test to the sincerity and determination of the democratic government of Mian Nawaz Sharif who has still to prove its commitment to protect the basic rights of Pakistani people as well as to establish the strong footing of democratic forces.

Mr Janjua has become an icon for the nationwide struggle against enforced disappearance, which was started by his wife. After long and strenuous efforts, in 2008 the people of Pakistan were able to drive the military back to their barracks. However, not only Masood's whereabouts remain unknown, but the trend of disappearances is rising and thousands have been and continue to be victimized.

As such, AFAD calls upon the elected government, led by Prime Minister Mian Nawaz Sharif, to surface Mr. Janjua immediately and prosecute the perpetrators, in order to make a significant breakthrough in the fight against enforced disappearances.

Moreover, AFAD is deeply concerned with the recent instances where bodies of initially disappeared persons were later found dumped or handed over by authorities without any fear of the consequences. Because of this trend, each day puts an additional risk to Mr Janjua's life and the lives of many disappeared persons. AFAD therefore, urges the Pakistani government to make a thorough investigation on these incidents.

Finally, AFAD urges the Government of Pakistan to sign and ratify the International Convention on Enforced Disappearances, in order to guarantee the victims and their families their basic human rights. It also reminds Government of Pakistan to implement the other recommendations of the United Nations Working Group on Enforced Disappearances during its visit to Pakistan in 2012.

Signed by:



KHURRAM PARVEZ
Chairperson



MARY AILEEN D. BACALSO
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