

**REPORT NO. 5**

# **SENATE OF PAKISTAN**



## **REPORT OF THE FUNCTIONAL COMMITTEE ON HUMAN RIGHTS**

**ON THE POINT OF PUBLIC IMPORTANCE RAISED BY  
SENATOR SASSUI PALIJO IN THE SENATE SITTING  
HELD ON 25<sup>TH</sup> MAY, 2018**

**PRESENTED BY  
SENATOR MUSTAFA NAWAZ KHOKHAR  
CHAIRMAN**



## SENATE SECRETARIAT

### REPORT OF THE SENTATE FUNCTIONAL COMMITTEE ON HUMAN RIGHTS ON POINT OF PUBLIC IMPORTANCE RAISED BY SENATOR SASSUI PALIJO REGARDING "MISSING PERSONS IN SINDH AND OTHER AREAS OF THE COUNTRY" IN THE SENATE SITTING HELD ON 25<sup>TH</sup> MAY, 2018, AND REFERRED BY THE HOUSE TO THE COMMITTEE

1, Senator Mustafa Nawaz Khokhar, Chairman of the Functional Committee on Human Rights have the honour to present, on behalf of the Committee, this report on the Point of Public Importance raised by Senator Sassui Palijo regarding "Missing Persons in Sindh and Other Areas of the Country" in the Senate sitting held on 25<sup>th</sup> May, 2018.

2. The Honourable Chairman Senate referred the matter to Functional Committee on Human Rights with the direction to report back to the House.

3. The composition of the Committee is as under:

1. Senator Mustafa Nawaz Khokhar	Chairman
2. Senator Raja Muhammad Zafar-ul-Haq	Member
3. Senator Rana Mahmood ul Hassan	Member
4. Senator Muhammad Tahir Bizinjo	Member
5. Senator Syed Muzaffar Hussain Shah	Member
6. Senator Keshoo Bai	Member
7. Senator Prof. Dr. Mehr Taj Roghani	Member
8. Senator Hidayat Ullah	Member
9. Senator Muhammad Ali Khan Saif	Member
10. Senator Sana Jamali	Member
11. Senator Dr. Jehanzeb Jamaldini	Member
12. Senator Muhammad Usman Khan Kakar	Member
13. Senator Ayesha Raza Farooq	Member
14. Minister for Human Rights	Ex-Officio Member

4. The Committee addressed the Point of Public Importance in its meetings held on 28<sup>th</sup> August, 2018, where the following members were present:



i.	Senator Mustafa Nawaz Khokhar	<b>Chairman</b>
ii.	Senator Syed Muzaffar Hussain Shah	Member
iii.	Senator Keshoo Bai	Member
iv.	Senator Prof. Dr. Mehr Taj Roghani	Member
v.	Senator Hidayat Ullah	Member
vi.	Senator Sana Jamali	Member
vii.	Senator Muhammad Usman Khan Kakar	Member
viii.	Senator Muhammad Tahir Bizinjo	Member
ix.	Senator Sassui Palijo	Mover

5. The Chairman, Commission of Inquiry on enforced Disappearances has apprised the Committee that in Sindh, 1397 cases of missing persons had been received by the Commission. Out of these cases, 1174 have been disposed, leaving a pendency of 183. The Committee is also aware that 135 cases of missing persons have been referred to the Government of Sindh, but no progress on these cases has been made.

6. The Chairman, Commission on enforced disappearances informed the Committee that several persons who have been reported missing have either fled Pakistan and settled abroad, or have settled in other cities of Pakistan, without the knowledge of their relatives. In addition, it has been revealed after inquiries that several persons reported as missing, especially in Sindh, have actually been arrested for crimes committed, and are currently in police custody.

7. The Committee concluded that the issue of missing persons must be resolved. To this end, the Committee has decided that a legal framework, criminalizing and penalizing enforced disappearances is the need of the hour. The Committee has also noted that section 365 of the Criminal Procedure Code and the Pakistan Penal code need to be amended, if enforced disappearances are to be effectively criminalized.

8. The Ministry of Interior has been directed to provide the Committee with the reports drafted by Justice Kamal Mansoor and Justice Noor Muhammad Meskanzai on enforced disappearances and missing persons. These reports provide concrete recommendations for addressing the issue of enforced disappearances and missing person in Pakistan, but have never been made public. The Secretary, Ministry of Interior has also been directed to brief the Committee in person on the status of the recommendations of these reports. Furthermore, the Senate Functional Committee on Human Rights has also directed the Ministry of Human



Rights to engage all stakeholders and draft a bill criminalizing enforced disappearances and making it a punishable offence.

9. To address the issue of missing persons in Sindh, the Committee has requested Senator Sassui Palijo, the mover of the Point of Public Importance, and other members from Sindh, to follow up on the 135 cases of missing persons referred by the Commission of Inquiry on Enforced Disappearances to the Government of Sindh.



**(Iffat Mustafa)**  
Secretary Committee



**(Senator Mustafa Nawaz Khokhar)**  
Chairman Committee