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Understanding the Dilemma of Enforced Disappearances and Arbitrary Detentions in Pakistan: A Critical Study of the Legal Framework and National Security Justifications

Humail Zainab

Advocate High Courts Pakistan

humailzainab@gmail.com**Muhammad Umar**

Lecturer, College of Law, University of Sargodha

muhammad.umar@uos.edu.pk**Hassan Zaman**

LL. M Scholar, University of the Punjab

advhassanzaman@gmail.com**ABSTRACT**

Enforced disappearance of a person refers to the unlawful detention of a person by state authorities for unspecified time in which the whereabouts of the person are unknown. Such unlawful arrest and detention violates the constitutional guarantees regarding arrest and detention under Article 10 of Constitution of Islamic Republic of Pakistan, 1973. It also violates the right to a fair trial under Article 10-A of Constitutional of Islamic Republic of Pakistan, 1973. The Current paper critically analyzes the Legislative framework of Pakistan with respect to the arrest and detention, including the preventive detention laws and highlights the gaps in legislative and judicial framework that fail to prevent enforced disappearances. The study adopts Qualitative and doctrinal legal research design. The paper concludes that there are various loop-holes in the current Legislative framework which pave a way for the enforced disappearances in Pakistan. The study is imperative in Pakistani context as it provides recommendations aimed at law makers to devise and implement comprehensive legal reforms.

Keywords: Arrest, Detention, Enforced Disappearance, Human Rights, Fair-Trial.

Introduction

The deteriorating human rights situation in Pakistan has significantly impacted its international standing. Prominent international human rights organizations, including Amnesty International and Human Rights Watch, have consistently condemned Pakistan for its ongoing violations. The United Nations Human Rights Council (UNHRC) has also expressed serious concern, urging the Pakistani government to address these abuses and to bring an end to systemic violations, particularly the issue of enforced disappearances (Baloch Human Rights Council, 2021). The dilemma of arbitrary arrest has been repeatedly highlighted as a matter of urgent international concern. Reflecting this broader crisis, the World Justice Project's *Rule of Law Index 2024* ranks Pakistan 129th out of 142 countries globally, and 5th out of 6 within the South Asian region, underscoring the country's weak performance in upholding the rule of law and human rights (World Justice Project, 2024).

One of the main factors behind this decline is the situation of Human Rights in Pakistan. The Office of High Commission for Human Rights (OHCHR) has also raised serious concerns in this matter. The working group of United Nations on Enforced Disappearances has been continuously monitoring the situation in Pakistan (Aslam, 2024). European Union Parliament has threatened Pakistan multiple times that if Human Rights situation will not be improved then Pakistan will face multiple sanctions which includes the suspension of GSP plus status of Pakistan. (Khan, 2023).

One of the core areas which need instant attention of the Parliament is indeed this of Enforced Disappearances. The reason is that this crime violates various Human Rights and constitutional guarantees. Fundamental rights enshrined by the constitution of Pakistan are the basic rights which are available to all, and on their violation constitutional machinery comes into operation. The crime of Enforced Disappearances violates the Human Rights such as right to liberty, right to security, right to recognition as a person, right to be protected from torture, right to humane treatment, right to dignity as a person, right to life, right to identity, right to fair trial and due process, right to freedom of expression and safeguards as to arrest and detention (Constitution of Pakistan, 1973). Due to large scale violations of fundamental rights is associated with a crime, it indeed sparks national and international attention.

The primary objective of this study is to critically analyze the legal framework and practical approach towards the arbitrary detentions and enforced disappearances, in context of national security. It also seeks to identify legal uncertainties, institutional weaknesses, and patterns of misuse that escalate violations of fundamental rights of citizens. Additionally, it aims to highlight lacunas between law and implementation on grounds, and offer substantial measures that may helpful to eliminate or at least minimize such unlawful practices.

This research employs a qualitative doctrinal methodology complemented by secondary empirical analysis to investigate the legal and institutional dimensions of arbitrary detentions and enforced disappearances in context of national security. The study undertakes a critical review of relevant state legislations such as the Anti-Terrorism Act, 1997, the Pakistan Army Act, 1952, and the Pakistan Protection Act, 2014, examining their scope and implementation. The research further integrates an extensive review of secondary data such as reports from international organizations such as Amnesty International, Human Rights Watch, and various UN bodies, particularly the Working Group on Enforced or Involuntary Disappearances. Scholarly literature, judicial decisions, and human rights catalogs—such as the *World Justice Project Rule of Law Index 2024*—are analyzed to contextualize the fundamental rights of the citizens nation-wide.

History of Enforced Disappearances in Pakistan

Since joining the global War on Terror, Pakistan has experienced one of the most severe breakdowns in law and order in its history. The decision to align with the United States in its counterterrorism efforts brought with it unforeseen consequences, including significant political, social and legal challenges. While the intention was to combat extremism, Pakistan soon found itself among the worst-affected victims of terrorism, with widespread violence, instability and internal security threats. In this context, a strong nexus has emerged between counterterrorism operations and the practice of enforced disappearances, as state agencies increasingly resorted to extrajudicial means to deal with perceived threats under the pretext of national security.

The initial cases of Enforced Disappearances were reported after 9-11 as a counter-terrorism strategy (Amnesty International, 2024). Many suspected terrorists were detained and transferred to the custody of the United States without adherence to due process, bypassing legal safeguards

and judicial oversight (Peterson, 2020). The practice was overlooked by oversight mechanisms and gradually normalized, making it increasingly convenient for law enforcement agencies to detain individuals merely on the basis of suspicion of involvement in terrorism or related activities, often without credible evidence or adherence to due process.

At the initial stages of war on terror, international allies and particularly U.S either helped Pakistan in such arbitrary exercise of power or ignored the matter despite knowing the violations it had caused of Human Rights. Even many intelligence officials of such states are known to have visited Pakistan very often in order to inspect the detention centers. (Human Rights Watch, 2011, p.16). Such practices was initially targeted at individuals suspected of terrorism or militancy. Over time, however, the state gradually applied these measures as to overpower dissention and put the opposition's voices silence. The situation then worsened significantly, intensifying to include a wide range of persons. Alarming reports highlighted the disappearance of social media activists, human rights defenders, journalists, news reporters, political figures, civil servants, public officials, and even students. These expansions have generated widespread concern and outrage. Despite persistent calls for adherence to due process and the right to a fair trial, such appeals have largely been disregarded over an extended period (The Friday Times, 2022).

Although the phenomenon of enforced disappearances extents the whole country but the Khyber Pakhtunkhwa (KP) and Balochistan Provinces have been excessively affected. In Balochistan Province, situation has moved a serious level. Significant international bodies, like the United Nations Working Group on Enforced or Involuntary Disappearances, Amnesty International, and the UN Human Rights Committee etc, have constantly showed their concerns over such ulterior practice in the region. These reports emphasize grave violations of legal human norms at international level and highlight the crucial need for legal and institutional reforms (Amnesty International, 2006).

Statutory Measures in Context of Preventive Detention in Pakistan

Preventive detention in Pakistan is not regulated by a single piece of legislation; rather, it is addressed through various, each serving distinct purposes. Some of which are specifically drafted to ensure national security, others aimed at countering terrorism, and several enacted to maintain public order. A number of these laws were promulgated during periods of heightened terrorist activity and were intended to remain in force for a limited duration, after which they were repealed upon the expiration of their statutory mandate. Such practices raise significant concerns about the balance between national security and the protection of fundamental human rights.

Anti-Terrorism Act, 1997

The Anti-Terrorism Act, (1997) (hereinafter ATA 1997), provides a comprehensive legal framework for addressing terrorism and related offences in the state of Pakistan. Section 11EEE of the ATA 1997, allows law enforcing agencies to arrest and detain suspected persons as in accordance with the provisions of ATA, 1997. Importantly, the duration of such detention is also determined by the government, raising potential concerns regarding the scope of executive discretion. However, it is critical to emphasize that Article 10 of the Constitution of Pakistan, which guarantees certain fundamental rights relating to arrest and detention, applies to such preventive detentions. This constitutional safeguard ensures that the exercise of powers under the ATA, 1997 is subject to legal limitations and procedural protections.

Additionally, Section 11EEEE the same Act provides an explicit mechanism for preventive detention which legalize custody of accused of involvement in unlawful activities threatening

national security or endorsing sectarian violence. This law limits such detention to a maximum period of 30 days, intended to allow enough time for investigation or inquiry. Conspicuously, this form of preventive detention must be justifiable by recorded reasons and is subject to procedural oversight. Therefore ATA 1997, provides a regulatory framework that aims to balance national security interests with procedural accountability, although the effectiveness and transparency of its implementation remain subjects of critical inquiry.

Security of Pakistan Act, 1952

Security of Pakistan Act, 1952 (hereinafter SPA 1952), was enacted to provide a legal mechanism to deal with the persons who act in any manner which is prejudicial to the national security of State. It contains provisions regarding arresting such suspects and detaining them for a specified time period. According to Section. 1(b) of SPA 1952, if any person acts in any manner prejudicial to the external affairs and defense of security of Pakistan, he can be detained. The detention orders are subject to some restrictions as well, such as a person cannot be kept in detention for more than eight months in case of a person acting prejudicially against the public order, and the time period extends to twelve months in any other case. Moreover, a monitoring review board is also established to keep an eye on the detention process, thereby specifying the place of detention, conditions regarding detention and time period of detention. This means that no single authority is authorized to bypass the legal mechanism and direct the arbitrary detention of persons under the said Act.

An important section 6 of the SPA, (1952) is significantly important in context of the compulsory communication of the grounds on which an order has been issued to the person concerned. Accordingly, the authority answerable for issuing such an order, is legally bound to bear its contents in writing to the person concerned. Additionally, the provision ensures that the individual is informed of their right to legal representation and is granted the earliest possible opportunity to be heard. This requirement reflects fundamental principles of due process and natural justice within the constitutional provisions. All the provisions of the said Act provide the right of fair trial and due process in accordance with the Article 10-A of the Constitution of Pakistan, 1973.

Maintenance of Public Order Ordinance, 1960

Maintenance of Public Order Ordinance, (hereinafter MPO, 1960) is another important legislation which allows the government to detain persons for maintaining public peace and order. According to Section 3(1) of MPO, 1960 if the government is satisfied that any person is involved in any act which is prejudicial to public safety or public order, then that person can be detained, and such detention can be extended by the government from time to time, not exceeding six months at a time. Section 5(a) of MPO, 1960 authorizes the appropriate review board for extending the detention of a person for more than three months. The most important provision regarding fair trial is the section 6(a) of MPO, 1960, which ensures that the detained person should be informed about the grounds of his detention within fifteen days of his detention, and provides the right to representation against the order of detention.

Other Legislations Regarding Detention of Suspected Persons

Several Acts and Regulations were enacted from time to time for maintaining peace and order in Pakistan containing provisions for arresting persons and detaining them in the centers. Some of the statutory arrangements are discussed below:

The Actions (in aid of civil Power) Regulation, 2011

The Action (in aid of civil power) Regulation, 2011, (hereinafter Regulation, 2011), was enacted in order to establish peace in the former federally administered tribal areas (FATA). This regulation gave extra authority to the armed forces in FATA to tackle the law and order situation in aid of the civil power. According to section 9 of the Regulation, 2011, the internment authority is authorized to detain the suspected persons in the internment centers declared by the government. The internment authority is also deemed to be authoritative in internment any person, releasing him, or sending that person to law enforcement agencies for formal prosecution according to law. The constitutionality of the Regulation, 2011 is in question. The establishment of internment centers under the Regulation, 2011 is not in line with the constitutional requirements of arrest and detention as specified in the Article 10 of the Constitution of Pakistan, 1973, hence, this law itself is ultra vires of the constitution.

KP (Actions in Aid of Civil Power) Ordinance 2019

The KP (actions in aid of civil power) Ordinance 2019 (hereinafter Ordinance, 2019) was enacted in 2019, authorizing officers with respect to detaining persons in aid of the civil power (Shah, 2019). It extended the military control available under the FATA regulations of 2011 to the entire province of KP. The promulgation of Ordinance, 2019 sparked worldwide condemnation. International bodies and organizations condemned and labelled the ordinance as oppressive and brutal. International court of justice also denounced the ordinance by stating that the ordinance is grossly incompatible with the human rights protections and that 'the ordinance gives sweeping powers to the members of armed forces, including the power to detain people without any charge or trial on a number of vaguely defined grounds. Individuals can be detained for an unspecified period without any right to be brought before the court of law or to challenge the lawfulness of detention before a court of law.' (International Commission of Jurists, 2019).

Protection of Pakistan Act, 2014

Protection of Pakistan Act, 2014 (hereinafter PPA, 2014) was enacted with the purpose to convert the initially available protection of Pakistan Ordinance, 2013 into a full-fledged Act. The preamble of PPA, 2014 states that the Act was intended to prevent the offences against the state such as waging war against the state, prevention of those offences which pose a challenge to the security and integrity of Pakistan. It contains a detailed description of preventive detention mechanism just like the preceding legislations discussed above. According to Section 6(1) of PPA, 2014 initial time period for detention is mentioned as ninety days, but the detentions are subject to the Article 10 of the constitution of Pakistan, 1973. Hence, PPA, 2014 upholds the constitutional guarantees regarding detention.

Result and Discussion

The following section outlines the critical analysis of the Legal Framework and National Security Justifications in Pakistan.

Gaps in the Legislative and Judicial Framework

Although Pakistan's legal and constitutional framework provides safeguards against arbitrary detention, the persistence of enforced disappearances highlights severe implementation failures. These disappearances occur when individuals are detained without being formally charged, presented before a court, or even acknowledged by authorities, often leaving families unaware of their fate. Such actions go beyond the legal boundaries of preventive detention and constitute a grave violation of both national and international human rights obligations. A prominent example is the case of Idris Khattak, a human rights activist and former consultant for Amnesty

International and Human Rights Watch. He was abducted in November 2019 and remained incommunicado for over six months. His whereabouts were only disclosed after sustained international and domestic pressure. In 2021, a military court sentenced him to 14 years in prison under the Official Secrets Act, despite concerns over the lack of transparency and fair trial standards (Amnesty International, 2021).

Similarly, the Commission of Inquiry on Enforced Disappearances (COIED) has registered 8,463 cases as of January 2024, of which a large number remain unresolved. Despite its mandate, the commission has been criticized for slow progress, lack of prosecutorial authority, and failure to hold security agencies accountable (HRCP, 2023).

The core issue lies in the gap between law and practice, while protective provisions exist in documents, they are undermined by legislative ambiguities, lack of judicial enforcement, and absence of effective redress mechanisms. Enforced disappearances erode foundational principles such as due process, judicial accountability, and the rule of law. This systemic failure not only facilitates impunity but also contributes to public distrust in legal and judicial institutions. Addressing this issue requires urgent legislative reform, strengthened oversight, and the establishment of credible mechanisms for accountability and victim redress.

Systemic Failures on Part of Legislature and Executive

The continued prevalence of enforced disappearances in Pakistan, along with related abuses such as torture and custodial deaths, highlights systemic failures within both the legislative and executive branches. The absence of clear, enforceable laws and the lack of political will to reform outdated legislation have created a legal vacuum that fosters impunity. Existing laws often grant excessive discretion to state authorities and fall short of international human rights standards.

In the case of Mohammad Ismail and his daughter Gulalai Ismail, both human rights defenders, enforced disappearance tactics were allegedly used by authorities to silence dissent. Despite court interventions, Mohammad Ismail remained in arbitrary detention for extended periods without due process (Amnesty International, 2021). Similarly, the Commission of Inquiry on Enforced Disappearances has registered over 8,000 cases since its establishment in 2011, yet many remain unresolved, with few if any prosecutions of perpetrators (HRCP, 2023).

The combination of legislative ambiguity and executive inaction not only fails to deter violations but, in effect, facilitates them. Meaningful reform requires comprehensive legal clarity, independent oversight bodies, and full compliance with constitutional and international human rights obligations.

Establishment of Military Courts and Civilian's constitutional rights

In response to escalating terrorism and institutional weaknesses in the criminal justice system, Pakistan introduced military courts under the 21st Constitutional Amendment (2015) as part of the National Action Plan. These courts were empowered to try civilians for terrorism-related offences, largely due to the perceived inability of ordinary courts to secure convictions, often attributed to insufficient evidence and strict adherence to fair trial standards (Ministry of Human Rights ; Munir, 2020). The Pakistan Army Act, 1952, under Section 2(d)(iii) and (iv), grants jurisdiction over civilians suspected of terrorism, despite being originally designed to regulate armed forces. This expansion of military jurisdiction over civilians poses serious constitutional and international legal concerns, particularly regarding the right to a fair trial.

However, the operation of military courts has raised serious human rights concerns, particularly regarding enforced disappearances (The International Commission of Jurists, 2019).

In October 2023, the Supreme Court of Pakistan declared civilian trials by military courts unconstitutional, striking down parts of the Army Act. However, in a controversial reversal on 7 May 2024, the Court restored those provisions, allowing military courts to resume such trials (DAWN, 2025).

This legal fluctuation reflects deeper institutional ambiguity and an inconsistent commitment to the rule of law. Moreover, the authority given to military courts to try civilians but civil courts cannot try military personnel, indeed destabilizes the principles of equality before the law.

The Culture of Impunity and Rule of Law

Impunity refers to the failure to bring perpetrators of serious crimes to justice, often due to the absence of proper investigation, prosecution and sentencing mechanisms. The deep-rooted culture of impunity in Pakistan significantly undermines the rule of law and enables gross human rights violations (Omer, 2017). This becomes especially dangerous when state institutions, operate beyond the reach of judicial or administrative accountability.

The lack of checks on powerful institutions has fostered an environment where violations like arbitrary detention, torture, and disappearances occur without fear of repercussions. As Gardner (2021) emphasizes, the rule of law requires that no entity is above the law; its erosion threatens the very foundation of justice and democracy.

In Pakistan, this impunity is further entrenched by legislative measures that safeguard the state institutions from accountability. Over time, the legislature has enacted laws and policies granting de facto immunity to security personnel. Consequently, both the judiciary and executive have been largely ineffective in holding perpetrators accountable (Baloch, 2020).

In a rare judicial intervention, the Islamabad High Court recently held the state responsible for the abduction of civilians, acknowledging enforced disappearances as a serious breach of constitutional rights (Mehmood, 2024). However, such recognition remains largely symbolic in the absence of meaningful legal and institutional reforms.

Ultimately, the institutionalized culture of impunity not only perpetuates enforced disappearances but also disempowers victims and erodes public trust in the justice system. Addressing this crisis requires robust judicial enforcement, legislative reform and the political will to hold all state actors accountable under the law.

Reluctance by investigation department and Procedural Complications

Local police often refuse to register First Information Reports (FIRs) when the alleged culprits are members of state institutions. This institutional reluctance seriously undermines victims' access to justice and the right to legal remedy. On the rare occasions when an FIR is registered, the police typically lack the authority, capacity, or will to carry out effective investigations, especially when powerful security agencies are involved.

This inaction is not merely a procedural lapse but reflects deeper structural power imbalances within the state apparatus. Officials, aware of the influence of state security agencies, often choose passivity to avoid institutional conflict. Despite judicial directives and internal orders from senior police officials urging action, the majority of complaints are either ignored or delayed indefinitely (Amnesty International, 2021).

Consequently, the families of missing persons are left without immediate relief, deepening their trauma and eroding trust in the criminal justice system. This sustained non-cooperation reinforces a culture of impunity, further weakening public confidence in state institutions.

Unsatisfactory Progress of Commission of Inquiry on Enforced Disappearances

The Commission of Inquiry on Enforced Disappearances (COIED), was constituted under the direction of the Supreme Court of Pakistan with object to investigate cases of arbitrary arrests and holding culprits accountable. However, its unsatisfactory progress raising serious concerns about its effectiveness and independence. Rather than functioning as a genuine accountability mechanism, the Commission is often criticized as a bureaucratic body that exists more to justify salaries than to deliver justice (International Commission of Jurists, 2020). As Iqbal (2024) states, production orders are frequently ignored by security agencies, reflecting the Commission's lack of coercive power and the broader problem of impunity. Media reports alleged inappropriate behavior by the Commission's Chairman toward a woman seeking assistance for her missing husband. The incident drew public criticism and further damaged the institution's credibility (Staff, 2022).

Non-Availability of Proper Legislation

The issue of enforced disappearances has persisted in Pakistan for decades, yet successive governments have consistently failed to legislate against this basic rights violation. This inaction reflects both the influence of powerful state institutions and a prevailing culture of impunity that silences dissent and discourages accountability. Although the apex court has urged the criminalization of enforced disappearances, no meaningful law has been enacted to date. The need to declare enforced disappearance as a distinct, cognizable offence under the Pakistan Penal Code remains unmet.

A notable attempt was made in 2021, and the Criminal Law (Amendment) Bill, 2021 was placed in National Assembly. However, the bill reportedly went missing during its transmission to the Senate Secretariat, exposing both bureaucratic unwillingness and a lack of political will to see the legislation through (Tahir, 2022).

Helplessness of Higher Judiciary

The Supreme Court, as the guardian of the Constitution, and the High Courts, empowered under Article 199, have a crucial responsibility to safeguard fundamental rights, including the right to life, liberty, and due process. Additionally, The judiciary's active engagement with the issue began, particularly around 2006, when the Supreme Court asserted that no state institution is above the law and that detaining individuals without disclosure or legal process is unconstitutional (Iqbal, 2013).

Despite these assertions, progress has remained limited. Hundreds of cases remain pending, often without meaningful resolution. Critics argue that the judiciary has not consistently enforced its own decisions, undermining its role as a check on executive overreach. A prominent example is the Supreme Court's 2024 ruling allowing military courts to try civilians allegedly involved in the May 2023 riots, which contradicted earlier positions on the need for due process and civilian trial protections (Mehtab, 2025).

Similarly, in many cases, the high court's dispose of petitions after receiving denial reports from state institutions, often citing lack of jurisdiction or evidence. However, the Islamabad High Court (IHC) has emerged as a more proactive institution. It issued strong remarks against enforced disappearances and took steps to hold state actors accountable, providing some hope to victims' families (Asad, 2022).

Conclusion and Recommendation

This research has identified critical gaps within Pakistan's existing legal framework that have enabled serious fundamental rights violations. The broad and unchecked powers granted under special security and counterterrorism laws have contributed to excessive authority, leading to the suppression of political discourse on the issue and a lack of accountability for those responsible. The entrenched culture of impunity has further worsened the problem, as perpetrators often act with the perception that they are beyond legal scrutiny. Moreover, institutional limitations within the executive branch have severely hindered effective responses to this crisis, allowing the situation to worsen over time. In this context, the enactment of comprehensive legislation specifically addressing enforced disappearances is both urgent and necessary. Thus, study concludes with following recommendations

The Criminal Law (Amendment) Act, 2021 may be considered and passed, incorporating grave penalty up to fourteen years of imprisonment and with fine, excluding any provisions that penalize false reporting in a way that deters real complaints.

The International Convention for the Protection of All Persons from Enforced Disappearance (ICPPED) may be signed and substantial steps may be taken to implement its provisions through incorporation, into legal framework.

To reinforce the conventional judicature, The Pakistan Army Act, 1952 may be amended to up to exclusion of civilians trials into military courts.

The state may legislate special laws to prohibit arbitrary arrest and detention and of enforced disappearances, to clearly prevent enforced disappearances, warranting accountability, compensation for sufferers, and acquiescence with international human rights standards.

Law enforcing agencies of the state and rest of the stake-holders, while exercising their respective powers must acknowledge their duty to support human rights

Adequate financial resources may be allocated to the relevant commission to guarantee its actual and independent working.

The commission may be granted powers, similar to those of the Supreme Court and High Courts, to execute with its orders.

Open and regularly updated record of such persons may be maintained on official website of commission.

Digital Complaint management system may be established, alongside landline numbers, mobile numbers, a mobile application, and an interactive website.

Public awareness may be elevated through the responsible and constructive use of media, in context of cases reporting and highlight the demands of victims' families.

An office for compensations may be established at both federal and provincial levels to provide timely and appropriate compensation to families of the disappeared, pending the recovery of their loved ones.

Victims' families may be encouraged to form unions or associations to enhance collective advocacy and strengthen their ability to present concerns before relevant authorities.

References

Admin. (2021, October 2). *UN Human Rights Council urged to press upon Pakistan to end human rights violations in Balochistan*. Baloch Human Rights Council. <https://balochhumanrightscouncil.wordpress.com/2021/10/02/un-human-rights-council-urged-to>

press-upon-pakistan-to-end-human-rights-violations-in-balochistan/
 Amnesty International. (2006). *Pakistan: Enforced disappearances in the "war on terror"* - Amnesty International. Retrieved June 7, 2025, <https://www.amnesty.org/en/documents/asa33/038/2006/en/>
 Anti-Terrorism Act 1997. <https://www.sindhlaws.gov.pk/setup/Library/LIB-18-000002.pdf>
 Amnesty International. (2012). OPEN LETTER: PAKISTAN MUST RESOLVE THE CRISIS OF ENFORCED DISAPPEARANCES. In *Amnesty International*. <https://www.amnesty.org/en/wp-content/uploads/2021/06/asa330122012en.pdf>
 Amnesty International. (2021, November 29). *Pakistan: Living Ghosts: The devastating impact of enforced disappearances in Pakistan* - Amnesty International. <https://www.amnesty.org/en/documents/asa33/4992/2021/en/>
 Amnesty International. (2025, January 23). *Enforced disappearance in South Asia – Amnesty International*. <https://www.amnesty.org/en/projects/enforced-disappearance-in-south-asia/>
 Asad, M. (2022, May 26). Govt told to dispel notions about forces in missing persons case. *DAWN.COM*. <https://www.dawn.com/news/1691535>
 Aslam, I. (2024, October 18). Pakistan under the scanner of UN committee over rights violations. *DAWN.COM*. <https://www.dawn.com/news/1865951>
 DAWN. (2025, May 13). May 9 and military courts: What the SC decision means for civilians. *DAWN*. <https://www.dawn.com/news/1909718>.
 Ellis-Petersen, H. (2022, October 19). Kidnap, torture, murder: the plight of Pakistan's thousands of disappeared. *The Guardian*. <https://www.theguardian.com/global-development/2020/dec/14/kidnap-torture-the-plight-of-pakistans-thousands-of-disappeared>
 Gardner, C. (2021). *Democracy and the rule of law*. William & Mary Law School. <https://law.wm.edu/academics/intellectuallife/researchcenters/postconflictjustice/internships/internsh> ip-blogs/2021/claire-gardner/democracy-and-the-rule-of-law.php
 International Commission of Jurists. (2019). *Military Injustice in Pakistan*. <https://www.icj.org/wp-content/uploads/2019/01/Pakistan-military-courts-Advocacy-Analysis-brief-2018-ENG.pdf>
 International Commission of Jurists. (2020). *Entrenching impunity, denying redress: The Commission of Inquiry on Enforced Disappearances in Pakistan*. <https://www.icj.org/resource/pakistan-commission-of-inquiry-on-enforced-disappearances-has-failed-in-providing-justice-to-victims/>
 Iqbal, N. (2013, December 11). Secret detention has no legal cover. *DAWN.COM*. <https://www.dawn.com/news/1061771>
 Iqbal, N. (2024). Only fraction of production orders for missing persons implemented. *DAWN.COM*. <https://www.dawn.com/news/1804624>
 Khan, M. Z. (2023). Enforced disappearances, curbs on media take centre stage in GSP+ review. *DAWN.COM*. <https://www.dawn.com/news/1791363>
 KP (Actions in Aid of Civil Power) Ordinance 2019 .<https://andyreiter.com/wp-content/uploads/military-justice/pk/News%20Articles/Pakistan%20-%202019%20-%20Dawn%20-%20Extension%20of%20Power%20to%20KP.pdf>.
 Mehmood, F. (2024). IHC castigates ISI in poet s abduction casee. *The Express Tribune*. <https://tribune.com.pk/story/2467475/ihc-castigates-isi-in-poets-abduction-casee>

- Mehtab, U. (2025, May 7). May 9 riots: SC CB rules civilians can be tried in military courts. *DAWN.COM*. <https://www.dawn.com/news/1909113>
- Ministry of Human Rights. *Ministry of Human Rights*.
<https://www.mohr.gov.pk/Detail/Zig3NjNjYtAtMDIlZC00Yzg3LWJlZGMtMmExYzlhMzVhM2Zk>
- Munir, B. (2020). Establishment of Military Courts in Pakistan and its Effects on Trichotomy of Powers: International and Domestic Standards. *SSRN Electronic Journal*.
<https://doi.org/10.2139/ssrn.4916508>
- Omer, R. (2017, January 30). Crisis of impunity. *DAWN.COM*.
- Protection of Pakistan Act, 2014.
https://na.gov.pk/uploads/documents/1409034186_281.pdf
- Security of Pakistan Act, 1952.
<https://nasirlawsite.com/laws/sop.htm>
- Staff, W. D. (2022, July 6). ‘Why do you need a husband?’: Justice Javed Iqbal accused of harassing missing person’s wife. *The Namal*. <https://thenamal.com/featured/why-do-you-need-a-husband-justice-javed-iqbal-accused-of-harassing-missing-persons-wife/>
- Tahir, R. (2022, August 5). The state and the disappeared. *The News International*.
- The Actions (in aid of civil Power) Regulation, 2011:
[https://kpcode.kp.gov.pk/uploads/Actions_\(in_Aid_of_Civil_Power\)_Regulation_2011.pdf](https://kpcode.kp.gov.pk/uploads/Actions_(in_Aid_of_Civil_Power)_Regulation_2011.pdf)
- The Constitution of Islamic Republic of Pakistan, 1973. <https://www.pakp.gov.pk/wp-content/uploads/2024/07/Constitution.pdf>
- The Friday Times. (2022, August 30). “Routine occurrence”: Rights organisations Pan Pakistan over enforced disappearances. *The Friday Times*. <https://thefridaytimes.com/30-Aug-2022/routine-occurrence-rights-organisations-pan-pakistan-over-enforced-disappearances>
- Human Rights Watch. (2023). “We can torture, kill, or keep you for years.”
<https://www.hrw.org/report/2011/07/28/we-can-torture-kill-or-keep-you-years/enforced-disappearances-pakistan-security>
- WJP Rule of Law Index. (.).
<https://worldjusticeproject.org/rule-of-law-index/country/2024/Pakistan/>
- West Pakistan Maintenance of Public Order Ordinance, 1960.
<https://pakistancode.gov.pk/english/UY2FqaJw1-apaUY2Fqa-apaUY2Npa5prZw%3D%3D-sg-iiiii>