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Pakistan: End Collective Punishment in Swat

(New York) - The Pakistani government should immediately investigate reports that security forces are carrying out collective punishment against relatives of suspected Taliban militants during operations in the Swat valley, Human Rights Watch said today.

Since September 2009, when the Pakistani military re-established control over the valley, Human Rights Watch has received numerous credible reports of collective punishment, including arbitrary detention, forced evictions, and house demolitions by the military and police. Human Rights Watch has investigated these allegations on the ground in Swat since February 2010, and documented scores of abuses.

"Punishing people because their family members may be militants has become rampant in the Swat valley," said Ali Dayan Hasan, senior South Asia researcher at Human Rights Watch. "Not only is collective punishment illegal, it's counterproductive, because it angers the very people the government hopes to win over."

On May 21, a military-backed tribal *jirga* (council) expelled about 25 families with 130 people from the Kabal and Matta sub-districts for being relatives of Taliban militants who did not adhere to a May 20 deadline to surrender. The military took the families to a former Afghan refugee camp at Palai, where they remain effectively incarcerated.

Samiullah, one of the expelled family members, told Human Rights Watch: "My brother Rafiullah was a Taliban commander. We left Swat during the operation and returned when it ended. We have not heard from my brother for two and a half years. This camp is heavily guarded like a jail, and it is impossible to enter or leave without the military's permission. What have we done to lose our home?"

Tariq Aalim, a resident of Kabal, told Human Rights Watch that one of his sons had been picked up in place of another son who was an alleged Taliban member. Both he and the son had been arbitrarily detained, and the house of the son who was detained was demolished as a form of reprisal.

"My son Mohammad Aalim was a staunch supporter of the Taliban. I tried very hard to convince him to relinquish his ties with the Taliban, but he ignored me," Aalim said. "When we returned to Swat, the army raided our house on September 9, 2009, and took me and my younger son with them. They told us that they would not let us go until Mohammad Aalim handed himself in. During this period, they beat us mercilessly."

The Aalim family's problems continued even after Mohammad Aalim turned himself over to the authorities: "After 11 days, Mohammad Aalim surrendered to the army and my younger son and I were released the following day. However, the next day, army soldiers came and forcibly evicted us from our house and bulldozed it while we stood there helplessly. My third son returned from Qatar on January 22, 2010. After 13 days, on February 4, the army then took him away. We were told that he would be released in a few days. I begged the army, telling them to kill my son Aalim if his connections to the Taliban were proven, but to release my other son who had done nothing and did not even live in Swat. He is still in custody. He has done nothing and the army will kill him. Why can't they punish the guilty instead of destroying our home and torturing all of us because they have a problem with one member of the family?"

Mohammad Ikram, resident of Mingora, told Human Rights Watch that his youngest son, Imran, had joined the Taliban, and the army had been looking for him. Unable to find him, the military arrested Ikram and his other son, Naeem, in place of the wanted man. Though Ikram was released after three months, Naeem remains in illegal detention.

"My youngest son, Imran, joined the Taliban and also took part in militancy," Ikram said. "We tried our best to convince Imran to relinquish his ties with the Taliban but to no avail. Imran informed the Taliban that we were putting pressure on him to leave, and a Taliban commander visited our home and threatened us with dire consequences if we asked Imran to desert again. This was in March 2009, and we have not seen Imran since and have no information about whether he is alive or dead."

Ikram described his and Naeem's arrests: "In late August, army officials started visiting our house every two or three days to ask about Imran. Around August 27, they gave us an ultimatum to hand Imran over within a week or they would demolish our house and take us away with them. On September 4, some army officials came to our home and took my son Naeem and me with them. They told the women that they would hold us until Imran was handed over. They released me after three months, but Naeem is still in the custody of the army in Dargai. They say that they know Naeem is innocent but will only release him when they discover the whereabouts of Imran. We pray that the army finds Imran or his dead body so that Naeem can be released."

Collective punishment is any form of punitive sanctions and harassment, including but not limited to judicial penalties, imposed on families or other targeted groups for actions that they themselves did not personally commit, Human Rights Watch said. It is contrary to basic principles of international human rights and humanitarian law, which provide that no person may be punished for an offense he or she has not personally committed. This covers sanctions or harassment of any sort, administrative, by police action, or otherwise.

Human Rights Watch [reiterated its call](#) to the United States, the United Kingdom, and Pakistan's other military allies to urge Pakistani authorities to end gross violations of human rights in the Swat valley and to hold accountable all personnel, regardless of rank, responsible for them.

"With collective punishment, the Pakistani military risks undermining its hard-earned successes in Swat and dragging down the US and other allies who turn a blind eye to such practices," Hasan said. "Pakistan and its allies should demonstrate their resolve to fight the Taliban in accordance with international law instead of by intimidating civilians."

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