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Human Rights and Law Enforcement in Balochistan: Evaluating Legal Protections and Institutional Accountability

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Abstract:

This study tries to explore the linkages between law enforcement and human rights amidst critical juncture in Balochistan province of Pakistan. The paper not only addresses the statutory remedies but also the practicalities and assessment of the system of accountability, judicial review and protection of fundamental rights in the Constitution of Pakistan. The structural weaknesses in the civilian control mechanism, procedural problems in detention and enforcement delays in the local police institutions are demonstrated through a thorough analysis. The evaluation highlights the importance of providing synergy between the security operations and the statutory human rights protection mechanisms and the need to have independent accountability institutions.

Keywords: *challenges, historical context, laws, opportunities, theoretical context*

Introduction

The law enforcement operations in Balochistan are complex in the constitutional and security perspective, with the fundamental rights of the people being in conflict with the state's security requirements. Despite the Constitution of Pakistan's provisions of certain important rights including that of security of person, protection from arbitrary arrest and detention, right to fair trial etc. the institutional and procedural impediments in police practices still pose a threat in terms of compliance with existing legal safeguards and accountability mechanisms in Balochistan.

A legal framework for police, security and judicial interventions needs ongoing institutional review to remedy deficiencies in police and oversight enforcement.There is also an important function of monitoring the law enforcement practices and addressing violation of fundamental rights in statutory institutions, such as National Commission for Human Rights and provincial judicial forums. This paper explores the legal benchmarks, operational hurdles and institutionalized frameworks essential to improve human rights protection and hold law enforcement institutions to account in Balochistan.

Research Justification

The issue of human rights and law enforcement in Balochistan is extremely important in that Balochistan is a region in which a variety of problems in terms of security, politics and basic human rights exists. Law enforcement occurs in an environment in which the interests of counter terrorism and public safety often clash with those of the constitution. There is a necessity of conducting systematic research into the issues of arbitrary detention, use of excessive force, enforced disappearances, custodial abuse and institutionalized lack of accountability. The new research will help people understand the importance of current legislation and monitoring to ensure protection of people’s rights. At the same time, it will help people analyze the connection between legitimate interests of security and the interests of the constitution.

Literature Review

The existing body of literature on criminal justice ethics and law enforcement in Pakistan points to the fact that there are structural weaknesses in provincial policing systems. Khan (2025) revealed that the police administration in Balochistan has always been more effective with exceptional security measures than with the normal judicial security measures of civilians (Eggert et al., 2025). Other factors that affect the effectiveness of the police and undermine confidence in the rule of law include institutional corruption, poor forensic expertise, lack of professional training and politics (Waseem, 2026).

It has also been found that the protection of human rights by means of the constitutional guarantees is not enough if there are no effective mechanisms for implementation (Shah & Jules, 2025). Investigative detention, arrest, interrogation and other policing practices are subject to

meaningful monitoring to safeguard against the abuse of state power (Meer et al., 2025). The regulatory provisions created by the Police Order 2002 and appropriate provincial laws for public accountability and institutional control are not uniformly applied in all the regions of Balochistan (Tahir, 2026).

The need for thorough law and institutional reform to enhance law enforcement practices is generally highlighted by scholars like Hussain and Bhatti (2026). More investment in professional training, forensic capacity, independent oversight and transparency in judicial review is seen as a necessity to help maintain security operations within the limits of constitutional and legal protections (Khan et al., 2025). In regions where security issues have higher risk of overuse of the state, the accountability mechanisms are more critical (Ali & Yamaner, 2026)

Historical Context

The history of the development of law enforcement in Balochistan is closely linked to colonial administration and security issues which emerged with the declaration of Independence. ‘A' areas (regular police) and ‘B' areas (Levies Force) meant a disunited system of police control and of police jurisdiction. However, as time progressed, security was increasingly becoming an issue, and issues related to counter-terrorism and security operations were increasingly under consideration. With that, there was a great influence on the development and priorities of law enforcement in the Province. But as security became more prominent it was becoming more of an issue for the civil liberties and a conflict was build-in. It has shaped the debate which is taking place in Balochistan today.

Theoretical Context

The principles of justice, equality, legality, accountability and rights of the individual are the foundation of the theoretical framework of human rights and law enforcement in Balochistan. The works of legal theories such as natural rights theory, the rule of law, deontological ethics and justice theory can be applied to evaluate the police institution's action. Natural rights theory focuses on the idea that people have basic rights that are to be respected, irrespective of political and security situations. It is important that law enforcement officials exercise their power under the law within the confines of the law and the Constitution.

Compliance of legal and moral obligations is an important characteristic of deontology, one of the types of ethics that law enforcement or security staff must adhere to despite the serious security issues at hand. Theory of Justice is based on equality and equal access to the law and legal process. They are used in situations including arbitrary arrest, use of force, disappearances, violence while in custody, and discrimination.

Relevant Laws

1. **Police Order 2002:** The law is aimed at reforming police force by establishing professionalism and accountability in law enforcement. This legal act determines standards of behavior expected from police officers as well as creates bodies for investigating police misconduct and responding to corruption.
2. **Code of criminal procedure 1898 (CrPC):** The law is central to Pakistan's criminal justice system as it covers the scope of crime investigation, arrest, trial, and punishment. A cornerstone of Pakistan's criminal justice system, the CrPC defines the process of criminal investigation, arrest, trial, and sentencing.
3. **Pakistan Penal Code 1860 (PPC):** Criminal law, which is also known as the PPC, describes various crimes and punishment for each criminal offense. The code also emphasizes ethical issues of criminal law such as crime conviction based on a person's intent and punishment to protect individuals from cruel penal methods. PPC stands for crimes and punishments and it is based on ethics to ensure justice.
4. **Legal Practitioners and Bar Councils Act 1973**: It regulates the conduct of lawyers on the basis of ethics. In addition, it also provides guidelines for punishment for misconduct by lawyers. **5. Anti-Terrorism Act 1997**: This legal act covers the scope of anti-terrorism measures and activities of fundamental elements of the state. An ethical issue with this law is that it allows prolonged detention with little or no trials, which is a form of human rights abuse.

Challenges

A key challenge facing human rights protection in Balochistan is the conflict between law enforcers and fundamental human rights. The law enforcing system in Balochistan is subjected to political unrest, terrorist attacks, and war for independence, which facilitates human rights abuses by law enforcement agencies. Some of the key human rights issues affecting human rights protection in Balochistan are enforced disappearances, arbitrary detention, torture, and excessive use of force by law enforcement agencies.

In addition, another key challenge for human rights protection in the region is the lack of proper procedures for enforcing accountability measures for law abiders who violate the human rights of ordinary citizens. Other related challenges include poor judicial systems to provide justice for ordinary citizens as well as poor forensic systems to investigate crime scenes and gather evidence. The key areas for training in Balochistan includes professional law enforcement training as well as forensic training for effective and efficient law enforcement.

Opportunities

Protection of human rights in Balochistan could be improved with the help of creating institutional accountability through human rights institutions, courts of law, and the policing system. An effective and efficient remedy for a person whose rights have been violated by the law enforcers is one of the opportunities for promoting human rights protection in Balochistan. In addition, training of the law enforcement officers to ensure their respect for constitutional

rights in arrest, detention and punishment of accused persons for their crimes would improve human rights protection in the province.

Another key opportunity for human rights law enforcement in Balochistan is the need for increased judicial control over law enforcement agencies to ensure that law enforcers are always operating within the confines of constitutional rights. The protection of human rights in Balochistan would be hampered with the problem of security versus liberty. Therefore, there is a need to promote the social contract which will enable the accountability of law enforcers to the people of Balochistan without hampering the law enforcement process for their security.

Discussion

Promoting security through law enforcement and the freedom of individuals through the bill of rights is a complex process in Balochistan where human rights law and law enforcement are two activities that are interrelated. The human rights–state security conflict in Balochistan is deepened by the absence of good law enforcement practices by the state institutions that pave the way for human rights violations. There are several major concerns affecting the law enforcement in Balochistan, such as arbitrary detention of people, enforced disappearances, torture, and excessive use of force by the law enforcement officers. No accountability mechanism enables the law enforcers to continue committing human rights violation with impunity and thus weakens human rights protection in Balochistan.

Conclusion

Human rights and law enforcement in Balochistan is a complex legal issue where the tensions between the rule of law and individual liberty plays an important role. The rule of law is a fundamental human right that includes the right to life and liberty, but is negatively affected by the implementation of repressive measures in Balochistan during arrest and detention by law enforcers. In this regard, therefore, it is essential for the law enforcement officials in Balochistan to prioritize the law enforcement aspects of human rights in the first place, and to hold accountable in such a manner that justice is seen to be served by law-abiding people.

Recommendations

Implementing new laws to provide for accountability and justice for individual freedom in Balochistan can be achieved by reforming the law enforcement system in the province. In the first place, the state must make sure that the law enforcers use their authority to arrest, detain, and punish anyone who is under their charge and ensure protection from any form of cruel punishment, trial and unnecessary force. Secondly, there need to be accountability mechanisms in place within institutions to guarantee that no abuse of human rights by the law enforcers takes place.

Third, law enforcement personnel should be provided professional training in human rights law, arrests and trials to foster the preservation of human rights and the right to life. The fourth recommendation is to expand on the forensic investigation to encourage the implementation of

accountability measures in an investigation and trial. Moreover, the fifth recommendation is to have more access to justice for the people of Balochistan.

Research Limitations

The absence of effective accountability mechanisms for law enforcement officials who violate human rights can be a guiding principle for human rights law and law enforcement, in Balochistan. Due to absence of proper methodologies in gathered of adequate and authentic information for research, no information regarding human rights law and law enforcement in Balochistan is available easily. Further restrictions to research in Balochistan might be based on security issues and regional variations that make it difficult to formulate recommendations for the entire Balochistan region.

Research Implications

Balochistan's human rights law and law enforcement research have implications for the application of the rule of law in the region as well for the promotion of human rights protection in Balochistan. The research would offer insights into human rights law and law enforcement, which would enhance legal reforms for promoting human rights and accountability measures of law enforcers. Further, the research will provide some insights about the implementation of the rule of law in Balochistan that will be useful to lawyers, academics, and law enforcers in the province.

Future Research Directions

Future studies on human rights and law enforcement in Balochistan can be based on investigation into human rights record of every district of Balochistan. Further research could be carried out to address some of the research challenges identified as some of the difficulties in protecting human rights. Future research can validate the recommendations given in the research to verify that they have progressed human rights law and law enforcement in Balochistan or not. Future studies may include interviews of stakeholders of the relevant interest and analysis of data from relevant sources to provide a more objective/neutral judgment on human rights law and law enforcement in Balochistan. Future research could be done by comparing the use of law enforcement in the various areas of Balochistan.

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