



**Pakistan NGO Forum**

## **Pakistan**

### **Submission to the UN Universal Periodic Review 14<sup>th</sup> Session of the UPR Working Group**

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**Joint Submission by CIVICUS: World Alliance for Citizen Participation, NGO in General Consultative Status with ECOSOC and the Pakistan NGOs Forum (PNF)**

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## 1. (A) Introduction

- 1.1 CIVICUS: World Alliance for Citizen Participation is an international movement with members in more than 100 countries worldwide. Established in 1993, CIVICUS nurtures the foundation, growth and protection of citizen action throughout the world, especially in areas where participatory democracy and citizens' freedom of association are threatened.
- 1.2 The Pakistan NGO Forum (PNF) is an umbrella body composed of five networks of non-governmental organisations in Pakistan. Collectively, the networks have about 5,000 community-based organisations and NGOs as members. PNF's primary mission is to create a conducive working environment for NGOs in Pakistan.
- 1.3 In this document, CIVICUS and PNF outline urgent concerns related to the treatment and intimidation of religious minorities, enforced disappearances, abductions of citizens, and assassinations of and threats to journalists and human rights activists stemming from the nature of their work in Pakistan. We express our dismay at the fact that perpetrators who violate the rights of Pakistanis act with impunity because the government sometimes fails to take decisive action to protect citizens.
- 1.4 Civil society in Pakistan faces dual challenges, from extremists who target human rights defenders, journalists and CSO workers because of the nature of the work they do, and from the government that imposes sanctions and restrictions on individuals and organisations focussing on advocacy and human rights issues in Pakistan.
- Under Section B, CIVICUS and PNF highlight concerns regarding impediments to the freedom of peaceful assembly, and the persecution, harassment and intimidation of religious minorities, mainstream Muslims and other groups.
  - In section C, CIVICUS and PNF express concerns over the intimidation, harassment and assassination of journalists, which impede the freedoms of expression and information.
  - In section D, CIVICUS and PNF focus on the disabling environment for civil society activities caused by enforced disappearances, abductions, arbitrary detentions and torture of human rights defenders, political opponents and journalists as they carry out their duties.
  - In section E, CIVICUS and PNF highlight attempts by the government to censor information on the internet through the classification of certain types of information and URLs as 'undesirable', thereby impeding freedom of expression.
  - In section F, CIVICUS and PNF make a number of recommendations in the areas of the concerns listed.

## **2. (B) Concerns regarding the persecution and harassment of minority groups and freedom of peaceful assembly**

2.1 Citizens have the right to associate, assemble and belong to religious, social and political groups without fear of harassment. In Pakistan, threats to freedom of beliefs and expression continue to linger, and this is perpetuated by the government's actions against political opponents and its inability or unwillingness to provide adequate protection to those threatened by extremist groups and to hold extremists and security agents accountable for their actions.

2.2 The targeting of religious minorities by sectarian groups, often at religious gatherings in the form of suicide bombings and other violent attacks, is a serious cause for concern and is widespread across Pakistan. The violent campaign against minorities was visibly highlighted by the assassination of Minorities Minister Shabaz Bhatti in 2011 on his way to work.

2.3 Verbal and physical attacks against minorities remain a serious cause for concern, and Pakistan's controversial Blasphemy Law has been used to 'legitimise' such attacks. Hate speech propagated by extremists and militant religious groups is on the rise and violent attacks on minority groups such as Christians, Ahmadis and Shia Muslims is rampant. Pakistanis who belong to these groups have been targets of violent campaigns and assassinations, especially in public places. In the face of these threats, the government has not been able to effectively reign in the perpetrators and protect citizens.

2.4 The country's Blasphemy Law has triggered violent attacks against religious minorities and other mainstream Muslims who criticise the law. A violation of the law can be met with the death penalty, while extremist groups have assassinated citizens for criticising the law. On 4 January 2011, Punjab Governor Salman Taseer was shot and killed; his assailant admitted that he had committed the crime because Taseer had criticised the law. In the same light, former Information Minister Sherry Rehman, in the face of government ambivalence, received death threats after she proposed that the Blasphemy Law be amended.

2.5 In a clear violation of the right to freedom of conscience under international law, the Pakistani authorities have charged minorities, including children and people with disabilities, for allegedly violating the Blasphemy Law.

2.6 Discriminatory practices against minorities and the unwillingness of the Federal and Provincial authorities to hold extremists accountable for religious persecution exacerbate the gross human rights violations perpetuated by extremists against religious minorities.

### **3. (C) Concerns regarding intimidation, harassments and assassination of journalists impacting on the freedoms of expression and information**

3.1 CIVICUS and PNF are concerned about the continuous intimidation and harassment of journalists, particularly those who are critical of the army. Journalists work in fear and lack security, particularly when they cover the activities of the Pakistani military and extremist groups. Because they are prevented from covering the activities of the military and threatened by extremist groups, a disabling environment is created for journalists, who are impeded from reporting adequately on serious violations committed by the military in its 'war on terror'.

3.2 At least eight journalists were killed in 2010 and 10 in 2011 because of the nature of the work they do. In 2012 journalist Kamran Shafi was repeatedly intimidated as shots were fired outside his house by the armed forces, while journalist Umar Cheema was abducted, tortured and abandoned thousands of kilometres away from his residence in Islamabad. Another journalist, Saleem Shahzad, went missing in Islamabad on 29 May 2011 and his body was found two days later bearing visible signs of torture. Saleem had complained about threats received from Pakistan's Inter-Services Intelligence agency before his death.

3.3 The targeting of journalists by intelligence agencies and extremist groups makes Pakistan one of the most difficult countries in the world for journalists.

### **4. (D) Concerns regarding attempts by the government to increase internet censorship impacting on freedom of expression**

4.1 The Pakistani government made attempts to further increase internet censorship by issuing a call for proposals to interested parties and experts to create a comprehensive filing system to block millions of URLs considered 'undesirable'. The upsurge in the use of the internet in Pakistan, made possible by an increase in mobile phone usage and high speed internet access, makes online communication a dependable medium to exchange ideas and engage in debates on public issues.

4.2 Currently, thousands of websites are permanently or temporarily blocked for allegedly containing 'blasphemous' information. Such tight control over information sharing on the internet stifles freedom of expression and access to information. Restrictions on websites and online information which incite racial hatred, violence or child pornography are perfectly legitimate under international law. In Pakistan, however, restrictions are imposed on information critical of the government.

### **5. (E) Concerns regarding enforced disappearances of Pakistani citizens which creates a disabling environment for civil society activities**

5.1 In line with the 'war on terror' that began immediately after 11 September 2001, some citizens accused of involvement in terror activities have disappeared and are held in secret facilities. Human rights groups report that over the past decade approximately 7,000 individuals have been arbitrarily arrested and detained in unknown locations with

no access to lawyers or family members. The level of uncertainty which prevails following these enforced disappearances causes family members and relatives to live in constant fear about the wellbeing of their loved ones and of being targeted themselves.

5.2 Human rights activists, leaders of political opposition movements, journalists and students have also been targeted, and sometimes killed, with their bodies displaying visible signs of torture. Security forces and intelligence agencies have sometimes initially denied responsibility for the whereabouts of those who go missing, but on several occasions have been forced to retract when pressed by the judiciary.

5.3 In May 2010, following pressure from the Supreme Court and calls from the public, the government set up a Commission of Inquiry on Enforced Disappearances, but this Commission is in dire need of resources and lacks the authority to fully investigate cases thoroughly. Even though several cases have been looked at and investigations conducted, the Commission has failed to question and investigate intelligence officers and security agents who have information on some of the cases. There is also the need for the state to guarantee the safety and protection of members of the Commission.

## **6. (F) Recommendations to the Pakistani government**

6.1 CIVICUS and PNF call on the Pakistani government to respect the freedoms of expression, association and assembly of religious minorities and all citizens and to increase efforts to protect journalists and human rights defenders in line with the International Covenant on Civil and Political Rights and the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment to which Pakistan is a party. In light of this, the following recommendations are made:

6.2 Regarding violent attacks on and persecution of minorities in Pakistan:

- The government should step up efforts to protect minorities from extremist groups and ensure that government officials and other citizens who have received threats from these groups are adequately protected.
- Respect and protect the rights to freedom of expression and assembly of minorities and bring to justice those who violate these rights.

6.3 Regarding intimidation and assassination of journalists:

- Ensure that journalists are protected in order to be able to do their work freely and without fear, and bring to justice government officials, security and intelligence agents and members of extremists groups who violate the rights of journalists.

6.4 Regarding attempts to increase censorship of online information:

- The government must stop all attempts to increase censorship of information on the internet and respect the rights of all Pakistanis to have access to the internet and online resources.

#### 6.5 Regarding abductions, torture of detainees and assassinations:

- The government should reveal the fate and identities of all those abducted and detained by security forces and intelligence services, put an end to state-led abductions and charge or release all those currently in detention.
- Repeal the state of impunity with which members of intelligence agencies and security forces operate by thoroughly investigating all cases of enforced disappearances, abductions and politically-motivated killings, and bring to justice the perpetrators of these acts.
- Increase efforts to end the assassinations and intimidation of human rights defenders and ensure they are protected when doing their work in conformity with the UN Declaration on Human Rights Defenders, the Convention Against Torture and the International Covenant on Civil and Political Rights, to which Pakistan is a party.

#### 6.6 The government should extend a standing invitation to the UN Special Procedures, particularly to the Special Rapporteur on Human Rights Defenders, Special Rapporteur on Freedom of Expression and Special Rapporteur on Freedom of Assembly and Association.