

PAKISTAN: SUBMISSION TO THE UN HUMAN RIGHTS COMMITTEE

142ND SESSION
(14 OCTOBER 2024 – 07 NOVEMBER 2024)



Police outside the Supreme Court in Islamabad, Pakistan May 15, 2023 (Photo Credit: REUTERS/Akhtar Soomro)



INTRODUCTION

CIVICUS: World Alliance for Citizen Participation provides the following information with respect to the human rights situation in Pakistan to the United Nations (UN) Human Rights Committee (the Committee) in advance of its periodic review of Pakistan's obligations under the International Covenant on Civil and Political Rights (ICCPR) at the Committee's 142nd session.

In this document, CIVICUS sets out its main concerns regarding the implementation of the ICCPR by Pakistan, focusing on civic space issues, and specifically the rights to freedoms of expression (Article 19), peaceful assembly (Article 21) and association (Article 22).

ABOUT THE CIVICUS MONITOR

The CIVICUS Monitor, an online platform that tracks threats to civil society in countries across the globe, rates civic space – the space for civil society – in Pakistan as “Repressed”.

The data provides the basis for civic space ratings, which are based on up-to-date information and indicators on the state of freedom of association, peaceful assembly and expression. Countries can be rated as:

CLOSED**REPRESSED****OBSTRUCTED****NARROWED****OPEN**



FREEDOM OF EXPRESSION (ARTICLE 19)

Article 19 of the ICCPR guarantees the right to freedoms of expression and opinion. Article 19 of the Constitution of Pakistan also guarantees the right to freedom of speech and expression, including press freedom. Despite this, CIVICUS has documented wide restrictions on the freedom of expression online and offline.

LAWS RESTRICTING FREEDOM OF EXPRESSION

Freedom of expression has been severely curtailed in Pakistan through restrictive legislation. In particular, the authorities have used defamation laws to criminalise human rights activists, journalists and critics and create a chilling effect for those who may want to speak up.

Section 124-A of the Pakistan Penal Code, 1860 (PPC) criminalises sedition. This is colonial-era legislation that Pakistan inherited from pre-independence British India. The provision has been used on a regular basis against political activists, human rights defenders (HRDs) and journalists. In 2023, however, the Lahore High Court held that Section 124-A was unconstitutional because it violates citizens' right to free speech, including political dissenters and the press.¹

The act of defamation is also criminalised under PPC Sections 499 and 500. Under Section 499, criminal defamation is defined as the intentional making of an imputation that harms the reputation of a person. Section 500 lays down punishment for defamation, if convicted under Section 499, which can extend to a sentence of up to two years or a fine, or both.

In addition to the provisions of the PPC, online criminal defamation has, since 2016, also been covered by the Prevention of Electronic Crimes Act, 2016 (PECA). Section 20 of the Act is similar to Sections 499 and 500 of the PPC and carries a maximum jail term of three years. The law has been weaponised to initiate fabricated cases against journalists and activists, without credible evidence, in order to harass and intimidate individuals. Many of these cases have been thrown out at pretrial stages due to lack of evidence and other technical issues.²

Pakistan's blasphemy laws, particularly PPC Sections 295 to 298 of the, are overly broad, vague and coercive. They enable abuse and violate Pakistan's international legal obligations to respect and protect human rights, including freedoms of religion or belief and of opinion and expression. They have long been abused to target minority groups, such as the Ahmadiyya community.³

SYSTEMATIC TARGETING OF JOURNALISTS

The CIVICUS Monitor has documented systematic violations of the rights of journalists in recent years, with some facing arrests and detention for defamation and other charges in response to their reporting.

In May 2022, the Federal Investigation Agency (FIA) initiated a criminal inquiry against journalist Sami Ibrahim, an anchor with the privately owned broadcaster BOL News and host of a current affairs YouTube channel, for a video in which he discussed an alleged foreign conspiracy to oust former Prime Minister Imran Khan.⁴ He was accused of allegedly transmitting 'anti-state' videos and statements on various social media platforms. The inquiry was initiated under PECA Section 20.

1 'Pakistani court strikes down sedition law in win for free speech', Al Jazeera, 30 March 2023, <https://www.aljazeera.com/news/2023/3/30/pakistani-court-strikes-down-sedition-law-in-win-for-free-speech>.

2 'Criminalising Speech, A Comparative Analysis of Pakistan's Criminal Laws', Media Matters for Democracy, 2022, <https://mediamatters.pk/wp-content/uploads/2022/10/Criminalising-Defamation.pdf>.

3 'Pakistan: "As Good as Dead": The Impact of the Blasphemy Laws in Pakistan', Amnesty International, 21 December 2016, <https://www.amnesty.org/en/documents/asa33/5136/2016/en>.

4 'Journalists and Critics Continue to be Targeted Despite Political Transition in Pakistan' CIVICUS Monitor, 16 August 2022, <https://monitor.civicus.org/explore/journalists-and-critics-continue-be-targeted-despite-political-transition-pakistan>.

Pakistani state authorities detained BOL News journalist Jameel Farooqui in Karachi in August 2022 after he alleged on his YouTube channel that members of the Islamabad Capital Police (ICP) had tortured and assaulted Shahbaz Gill, a former leader of Imran Khan's Pakistan Tehreek-e-Insaaf (PTI) party, during his arrest.⁵ Farooqui was charged under several sections of the penal code, including Sections 499 (defamation), 500 (punishment for defamation), 501 (printing or engraving matter known to be defamatory) and 186 (obstructing a public servant in discharge of public functions).⁶



Pakistani journalist Asad Ali Toor who was arrested in February 2024 (Photo Credit: CPJ)

The FIA arrested independent journalist Asad Ali Toor on 26 February 2024 for allegedly launching a malicious campaign against state institutions⁷ after he reported critically on the chief justice of Pakistan, the Supreme Court and the country's military establishment on YouTube and X/Twitter.⁸ He was charged under PECA Sections 9, 10 and 24, which deal with the offences of glorification of an offence, cyberterrorism and cyberstalking. He was remanded for 20 days before being released on bail.⁹

Journalists have also been subject to harassment, threats and physical attacks from the authorities and others. Some have been killed.

In December 2021, officers with the Pakistan Rangers, a paramilitary federal law enforcement agency, beat and detained Faysal Mujeeb, a photographer with Dawn-White Star, while he was covering a protest by the Muttahida Qaumi Movement, a political party, in Karachi.¹⁰ In April 2022, a group of around 20 workers from the PTI assaulted Khawar Mughal, a reporter for the privately owned broadcaster 92 News, at the Minar-i-Pakistan monument in Lahore, the capital of Punjab province.¹¹ The attackers alleged that the TV channel was airing anti-PTI programmes and they did not allow it to cover their event.¹²

Two police personnel and six unidentified people attacked Jahangir Hayat, a journalist working for daily newspaper The Business, at his home in the Shah Jamal area of Lahore on 17 May 2023.¹³ They allegedly tortured Hayat and his family while his house was raided without a valid warrant.¹⁴ Hayat suffered serious injuries, including broken teeth and injuries to his hand, and his family members were also injured. The

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- 5 'Authorities in Pakistan Continue Harassment of Journalists, Persecution of Activists and Stifling of Protests', CIVICUS Monitor, 31 December 2022, <https://monitor.civicus.org/explore/authorities-pakistan-continue-harassment-journalists-persecution-activists-and-stifling-protests>.
 - 6 'Anchor held in Karachi for 'maligning' Islamabad police', Dawn News, 23 August 2022, <https://www.dawn.com/news/1706359>.
 - 7 'Pakistan: New Government Continues Blocking the Internet and Persecuting Journalists and Activists', CIVICUS Monitor, 25 March 2024, <https://monitor.civicus.org/explore/pakistan-new-government-continues-blocking-the-internet-and-persecuting-journalists-and-activists>.
 - 8 'Pakistani journalist Asad Ali Toor arrested after responding to summons for questioning', Committee to Protect Journalists, 26 February 2024, <https://cpj.org/2024/02/pakistani-journalist-asad-ali-toor-arrested-after-responding-to-summons-for-questioning/>
 - 9 'Pakistan Releases Journalist on Bail; X Platform Blockade Persists', Voice of America, 15 March 2024, <https://www.voanews.com/a/pakistan-urged-to-release-journalist-unblock-access-to-social-media/7529569.html>.
 - 10 'Photographer Faysal Mujeeb beaten, detained by Pakistan Rangers while covering political party event', Committee to Protect Journalists, 20 December 2021, <https://cpj.org/2021/12/photographer-faysal-mujeeb-beaten-detained-by-pakistan-rangers-while-covering-political-party-event>.
 - 11 'Journalists assaulted, harassed amid political transition in Pakistan', Committee to Protect Journalists, 5 May 2022, <https://cpj.org/2022/05/journalists-assaulted-harassed-amid-political-transition-in-pakistan>.
 - 12 'PTI workers thrash TV reporter in Lahore', Dawn News, 22 April 2022, <https://www.dawn.com/news/1686133/pti-workers-thrash-tv-reporter-in-lahore>.
 - 13 'Pakistan: Journalists and Activists Criminalised and Abducted While Government Seeks More Powers', CIVICUS Monitor, 11 August 2023, <https://monitor.civicus.org/explore/pakistan-journalists-and-activists-criminalised-and-abducted-while-government-seeks-more-powers>.
 - 14 'Journalists' Arrests Spark Concerns over Press Freedom and Safety in Pakistan', VoicePK.net, 19 May 2023, <https://voicepk.net/2023/05/journalists-arrests-spark-concerns-over-press-freedom-and-safety-in-pakistan>.

authorities allegedly retaliated against him for broadcasting a report on his YouTube Channel, Bold News42, on political events after the arrest of Imran Khan.¹⁵



Senior journalist Jan Mohammad Mahar was killed after being shot multiple times in Sukkur on 12 August 2023 (Photo Credit: IFJ)

In August 2023, senior journalist Jan Mohammad Mahar died after multiple gunshots were fired by unidentified assailants from close range in a targeted attack in Sukkur, Sindh province.¹⁶ Journalist Muhammad Siddique Mengal died in a bomb attack on 3 May 2024.¹⁷ According to the Committee to Protect Journalists, an unidentified motorcyclist placed a bomb on Mengal's vehicle at a busy crossing in Khuzdar, Baluchistan province. Mengal was president of the local Khuzdar Press Club and a journalist for The Daily Baakhbar Quetta, a local newspaper, the Independent News Pakistan news agency. Mengal had received death threats.

Journalists have also faced abduction and enforced disappearances. In most cases no one has been held accountable for these actions.

A group of five unidentified armed men allegedly abducted Pashto journalist Gohar Wazir from Bannu, Khyber Pakhtunkhwa (KPK) province on 19 April 2023.¹⁸ The men shoved Wazir into a vehicle with tinted glass. After 30 hours of illegal confinement at an undisclosed facility, his abductors dropped him blindfolded in the Bannu area. Wazir claimed he was electrocuted and forced to record a video statement praising the development of the area. Wazir said that he suspected the abductors were pro-government militant groups from KPK province acting in retaliation for his extensive reporting on human rights issues affecting Pashtun people and militancy in the province.¹⁹

Journalist Imran Riaz Khan disappeared after the FIA detained him on 11 May 2023 at Punjab's Sialkot Airport, from where he was scheduled to travel to Oman. He was arrested on charges of inciting violence during clashes between security forces and PTI supporters following the arrest of Imran Khan.²⁰ On 12 May 2023, the Lahore High Court ordered the police to release him, but there was no trace of him, with the police denying keeping him in custody. He only reappeared after four months but has not spoken about the incident.²¹

Unidentified men abducted Sami Abraham, a senior journalist and BOL TV News anchor, on 24 May 2023 while he was returning home from the TV station.²² Abraham remained missing for six days before returning home on 30 May 2023.²³

15 CIVICUS Monitor, 11 August 2023, op. cit.

16 'Pakistan: Senior journalist assassinated after leaving work in Sukkur', International Federation of Journalists, 14 August 2023, <https://www.ifj.org/media-centre/news/detail/category/press-releases/article/pakistan-senior-journalist-assassinated-after-leaving-work-in-sukkur>.

17 'Pakistani journalist Muhammad Siddique Mengal targeted, killed by bomb', Committee to Protect Journalists, 7 May 2024, <https://cpj.org/2024/05/pakistani-journalist-muhammad-siddique-mengal-targeted-killed-by-bomb>.

18 'Journalists Demand Government Protection Following The Abduction Of Press Club President In Bannu', MENAFN, 28 April 2023, <https://menafn.com/1106123641/Journalists-Demand-Government-Protection-Following-The-Abduction-Of-Press-Club-President-In-Bannu>.

19 'Journalists rally against abduction, torture of colleague in Bannu', Dawn News, 28 April 2023, <https://www.dawn.com/news/1749670/journalists-rally-against-abduction-torture-of-colleague-in-bannu>.

20 'Pakistan: Authorities Bring Terrorism Charges Against Protesters, Arrest the Opposition and Target the Media', CIVICUS Monitor, 24 May 2023, <https://monitor.civicus.org/explore/pakistan-authorities-bring-terrorism-charges-against-protesters-arrest-the-opposition-and-target-the-media>.

21 'Missing Pakistani journalist Imran Riaz Khan 'safely recovered' after 4 months', AA.com, 5 September 2023, <https://www.aa.com.tr/en/asia-pacific/missing-pakistani-journalist-imran-riaz-khan-safely-recovered-after-4-months/3000408>

22 'Senior Pak journalist Sami Abraham 'abducted' by unidentified men in Islamabad, family claims', ANI News, 25 May 2023, <https://www.aninews.in/news/world/asia/senior-pak-journalist-sami-abraham-abducted-by-unidentified-men-in-islamabad-family-claims20230525120653>.

23 'Second Pakistani journalist missing, family alleges abduction', Al Jazeera, 26 May 2023, <https://www.aljazeera.com/news/2023/5/26/second-pakistani-journalist-missing-family-alleges-abduction>; 'Journalist Sami Abraham returns home', The Express Tribune, 30 May 2023, <https://tribune.com.pk/story/2419354/journalist-sami-abraham-returns-home>.

The authorities have also pursued critical journalists abroad. Exiled dissident journalist Syed Fawad Ali Shah, who had lived in Malaysia since 2011 as a registered refugee, went missing on 23 August 2022.²⁴ According to Shah, he was abducted by Malaysian immigration officials in a joint operation with the Pakistani intelligence agency and held in an underground cell in Islamabad for five months, where he was subjected to torture and ill-treatment, before appearing in Adiala jail in February 2023. The FIA's cybercrime wing then brought fabricated charges against him under the PECA pertaining to criminal intimidation, defamation and obstruction of a public servant.²⁵

CENSORSHIP OF CRITICAL VOICES



Office of the Pakistan Electronic Media Regulatory Authority
(Photo Credit: Ministry of Information and Broadcasting)

The Pakistan Electronic Media Regulatory Authority (PEMRA), established under the Pakistan Electronic Media Regulatory Authority Ordinance, 2002 has long been the enforcer of the government's campaign of censorship and repression of the media.²⁶ It has broad censorship powers to block and remove internet content considered offensive under PECA Section 37, including content containing indecency, blasphemy or false information, without providing any definitions. It has ordered television channels to shut down for airing criticism of the government, terminated live interviews with opposition leaders and blocked cable operators from broadcasting networks that aired critical programmes.

In May 2022, PEMRA issued directives warning the country's private electronic media outlets to refrain from airing content against state institutions.²⁷ It stated that airing such content violated its directives, the provisions of PEMRA Electronic Media (Programmes and Advertisement) Code of Conduct 2015 and the principles laid down by the superior courts.

In August 2022, PEMRA issued instructions to cable providers to suspend the ARY News broadcast.²⁸ According to the International Federation of Journalists, the suspension, which impacted on viewers across India and Pakistan, came hours after the media organisation stated that the then ruling Pakistan Muslim League-Nawaz party had initiated a media campaign to portray the PTI and Imran Khan, as 'anti-armed forces'. PEMRA claimed the material aired was 'seditious' and represented 'a clear and present threat to national security'.

In September 2022, PEMRA blocked the transmission of BOL News and BOL Entertainment, revoking the broadcasting licence of BOL's parent company.²⁹ On 31 October 2022, the transmission of BOL News TV was again blocked throughout Pakistan without any reason or justification.³⁰ The channel was at the time covering the PTI's long march led by Imran Khan to demand early elections.

In March 2023, PEMRA banned television channels from broadcasting speeches and news conferences by

24 CIVICUS Monitor, 25 May 2023, op. cit.

25 'Pakistan: 'They put a black hood over my face and took me to the airport'', CIVICUS, 20 April 2023, <https://www.civicus.org/index.php/media-resources/news/interviews/6367-pakistan-they-put-a-black-hood-over-my-face-and-took-me-to-the-airport>.

26 'Proposed Pakistan Law Seeks Greater Control of Media', Human Rights Watch, 28 January 2021, <https://www.hrw.org/news/2021/01/28/proposed-pakistan-law-seeks-greater-control-media>.

27 'PEMRA warns TV channels to refrain from airing content against state institutions', Geo News, 9 May 2022, <https://www.geo.tv/latest/415953-pemra-bars-electronic-media-from-airing-content-against-state-institution>.

28 CIVICUS Monitor, 16 August 2022, op. cit.

29 CIVICUS Monitor, 31 December 2022, op. cit.

30 'Transmission of BOL News TV once again banned', BOL News, 31 October 2022, <https://www.bolnews.com/pakistan/2022/10/transmission-of-bol-news-tv-once-again-banned>.



Imran Khan, accusing him of attacking the state's institutions and promoting hatred.³¹ In August 2023, PEMRA directed all TV channels to stop giving airtime to 11 people: a group including journalists considered close to Imran Khan, individuals accused of criticising the military or the government and others that have been proclaimed offenders or absconders by courts.³²

INTERNET SHUTDOWNS AND SOCIAL MEDIA PLATFORM BLOCKING

There have been increasing reports of internet shutdowns and social media blocking. According to human rights groups, the Pakistan Telecommunication Authority has failed to provide any reasons for its actions and has exceeded its mandate by blocking entire internet platforms.³³

In May 2023, amid mounting protests generated by the arrest of Imran Khan, authorities restricted access to Facebook, X/Twitter and other social media platforms in Islamabad and other cities.³⁴ In December 2023, the authorities temporarily slowed down internet services and blocked access to major social media platforms amid a rare online rally organised by the PTI.³⁵ On 7 January 2024, internet and social media services across Pakistan were severely disrupted as the PTI prepared to launch a mass online campaign ahead of the election.³⁶ On 20 January 2024, the authorities disrupted social media and internet services again to undermine a PTI virtual election rally.³⁷

The authorities also suspended mobile internet services across Pakistan on election day, 8 February 2024, just before voting got underway. According to media reports, internet and mobile phone services were shut off just before the polls opened.³⁸ The government also blocked access to X/Twitter on 17 February 2024 following media reports of election rigging.³⁹ In April 2024, the authorities stated to a court that they had blocked access to the platform around the time of the election, citing national security concerns based on confidential reports from intelligence and security agencies.⁴⁰

31 CIVICUS Monitor, 24 May 2023, op. cit.

32 'Pakistan: Crackdown on the Opposition, Baloch Protesters and Other Civic Freedoms Ahead of Elections', CIVICUS Monitor, 22 January 2024, <https://monitor.civicus.org/explore/pakistan-crackdown-on-the-opposition-baloch-protesters-and-other-civic-freedoms-ahead-of-elections>.

33 'Civil society statement on continued network shutdowns and platform blocking in Pakistan', Media Matters for Democracy, 13 March 2024, <https://mediamatters.pk/civil-society-statement-on-continued-network-shutdowns-and-platform-blocking-in-pakistan>.

34 CIVICUS Monitor, 25 May 2023, op. cit.

35 CIVICUS Monitor, 22 January 2024, op. cit.

36 CIVICUS Monitor, 22 January 2024, op. cit.

37 'Pakistan Opposition, Critics Decry Internet Shutdown During Virtual Campaign Event', Voice of America, 20 January 2024, <https://www.voanews.com/a/pakistan-opposition-critics-decry-internet-shutdown-during-virtual-campaign-event/7448473.html>.

38 CIVICUS Monitor, 25 March 2024, op. cit.

39 'Rights groups urge Pakistan to restore X, blocked for 29 days', AA.com, 16 March 2024, <https://www.aa.com.tr/en/asia-pacific/rights-groups-urge-pakistan-to-restore-x-blocked-for-29-days/3166071>.

40 'Pakistan says it blocked social media platform X over 'national security'', Al Jazeera, 17 April 2024, <https://www.aljazeera.com/news/2024/4/17/pakistan-says-it-blocked-social-media-platform-x-over-national-security>.



THE HUMAN RIGHTS COMMITTEE SHOULD RECOMMEND THAT THE PAKISTAN GOVERNMENT:

- Review defamation provisions in the Penal Code, the Prevention of Electronic Crimes Act, 2016 and other provisions in order to bring them into line with best practices and international standards in the area of freedom of expression.
- Ensure that journalists and writers may work freely and without fear of retribution for expressing critical opinions or covering topics that the government may deem sensitive.
- Investigate all reports of arbitrary arrests, harassment and intimidation, attacks, enforced disappearance and killings of journalists and bring the perpetrators to justice.
- Enable unfettered access to information, including domestic and international media outlets, websites, social media platforms and civil society organisation (CSO) websites.
- Immediately lift any ban on social media platforms and ensure uninterrupted access to digital platforms and internet services by reviewing section 37 of the Prevention of Electronic Crimes Act, which enables censorship.
- Act with transparency on decisions that impact on the free use of the internet and issue statements of clarification to outline the reasons and legal basis for the blocking of social media platforms.
- Refrain from adopting any laws providing for censorship or undue control over social and conventional media content.

FREEDOM OF PEACEFUL ASSEMBLY (ARTICLE 21)

Article 16 of the Pakistan Constitution guarantees the right to freedom of peaceful assembly. Article 21 of the ICCPR also guarantees this right. However, in practice, freedom of peaceful assembly is undermined in Pakistan through the disruption of protests and a repressive crackdown on protesters.

RESTRICTIVE LEGISLATION RELATED TO PROTESTS

While the right to freedom of peaceful assembly is guaranteed under the Constitution of Pakistan (Article 16), it is subject to significant restrictions through broad and restrictive laws, including section 144 of the Code of Criminal Procedure, 1898, the Maintenance of Public Order Ordinance, 1960, which allows for preventative detention, the Anti-Terrorism Act, 1997 and several sections of the PPC relating to sedition (Section 124A) and unlawful assembly (sections 141 to 146).

Section 144 of the Code of Criminal Procedure has in particular been used to impose discretionary blanket restrictions on public protests and gatherings, placing the onus on activists and political organisers to obtain administrative permission to exercise a constitutionally guaranteed right.⁴¹

CRACKDOWN ON OPPOSITION PROTESTS

In recent years, CIVICUS has documented a crackdown on opposition protests with incidents of unlawful killings, excessive force including the use of firearms, arbitrary arrests and the prosecution of protesters. In most cases, no one has been held accountable for violations against protesters.



Security forces block protest in Islamabad 31 Oct 2022
(Photo Credit: REUTERS/Akhtar Soomro)

Following an assassination attempt against Imran Khan in November 2022, the PTI held nationwide protests that were met in some locations with arrests and excessive force by security forces.⁴² On 4 November 2022 in Rawalpindi's Faizabad Interchange, Islamabad police intermittently fired teargas shells to disperse protesters, who threw stones at the police. Several PTI protesters were arrested.⁴³ In Karachi on 5 November 2022, police used teargas and baton charges against PTI protesters, including women.⁴⁴ The police also rounded up several protesters, thwarting the party's attempt to converge outside the Karachi Press Club.

In May 2023, Human Rights Watch reported that police had carried out mass arrests and detained more than 4,000 people, including members of the political opposition, in the wake of protests over the arrest of Imran Khan.⁴⁵ The group said that police had arbitrarily detained many PTI members as well as people appropriately arrested for engaging in violence. Many were charged under vague and broad laws that prohibit rioting and creating threats to public order. Some PTI leaders and activists were held in jail for almost 10 months after their arrest and accused of committing multiple offences.⁴⁶

41 'Human Rights Charter – Pakistan', Amnesty International, 25 March 2024, <https://www.amnesty.org/en/wp-content/uploads/2024/04/ASA3378682024ENGLISH.pdf>.

42 CIVICUS Monitor, 31 December 2022, op. cit.

43 'PTI workers clash with police as countrywide protests break out against attack on Imran Khan', Geo News, 4 November 2022, <https://www.geo.tv/latest/450400-pti-starts-countrywide-protests-to-condemn-attack-on-imran-khan>.

44 'Karachi police break up PTI protest rally with batons, tear gas', Dawn News, 5 November 2022, <https://www.dawn.com/news/1718997>.

45 CIVICUS Monitor, 24 May 2023, op. cit.

46 'Long wait for families of PTI leaders jailed over 2023 protests in Pakistan', Al Jazeera, 5 March 2024, <https://www.aljazeera.com/features/2024/3/5/long-wait-for-families-of-pti-leaders-jailed-over-2023-protests-in-pakistan>.

The Pakistan authorities continued to crack down on opposition protests around the election in February 2024.⁴⁷

On 28 January 2024, police fired teargas to disperse PTI supporters in Karachi.⁴⁸ A reporter at the scene saw the arrest of between 20 and 30 people at the rally. On 24 February 2024, police detained dozens of political workers in Karachi who staged protests outside the Sindh provincial assembly against alleged election fraud.⁴⁹ The police also baton-charged the protesters. Sindh's provincial government invoked Section 144 of the Code of Criminal Procedure to prevent protesters gathering in anticipation of the protest, citing concerns about security and order.

In March 2024, the police launched a brutal attack on PTI supporters, arresting more than 100 of its members during nationwide protests over alleged election rigging.⁵⁰ As PTI members and supporters rallied in Lahore, shouting slogans against the government and calling for its dismissal, multiple videos on social media showed police officers attacking protesters with sticks and shoving people into police vehicles. In Punjab on the same day, protests were met with heavy-handed measures, resulting in the detention of scores of PTI workers and leaders. Similar arrests were reported in other cities, including Gujranwala and Multan.⁵¹

PROTESTS BY ETHNIC MINORITY GROUPS TARGETED

CIVICUS has documented numerous restrictions and attacks on peaceful assembly in recent years targeting ethnic minority communities in Pakistan, particularly ethnic Baloch and Pashtun activists and protesters.

The Pashtun Tahafuz Movement (PTM) has mobilised nationwide protests since 2018 over human rights violations against the Pashtun community, which include extrajudicial killings and enforced disappearances. Due to this, criminal cases have been filed against their members on charges including sedition and terrorism for holding rallies and making speeches. Military and civilian authorities have also imposed restrictions on protests.⁵²



Sit in protest by Baloch women protesters in Islamabad, 19 January 2024
(Photo Credit: X/@BalochYakjehtiC)

More recently, the Baloch community have also been targeted for their mobilisation around historic and ongoing violations by the Pakistan authorities, including extrajudicial killings, enforced and involuntary disappearances, arbitrary detention and torture in Balochistan province.

In June 2022, the Karachi police arrested 28 protesters, among them women, for staging a sit-in in front of the Sindh provincial assembly over the disappearance of two students, Doda Elahi Baloch and Ghamshad Baloch, who disappeared on 7 June 2022.⁵³

The Baloch Long March, a women-led peaceful protest campaign, began on 6 December 2023 against continuing repression and human rights violations, including enforced

47 CIVICUS Monitor, 24 May 2023, op. cit.

48 'Pakistani police use tear gas to disperse pre-election rally by supporters of former leader Khan', AP News, 28 January 2024, <https://apnews.com/article/pakistan-imran-khan-karachi-rally-arrests-66a5b25de6749a8fb106227ff64155a0>.

49 'Pakistani Police Detain Dozens at Postelection Protest in Karachi', Radio Free Europe, 24 February 2024, <https://www.rferl.org/a/pakistani-police-detain-dozens-at-postelection-protest-in-karachi/32833521.html>.

50 'Pakistan police crack down on PTI protests over alleged rigging in election', Al Jazeera, 11 March 2024, <https://www.aljazeera.com/news/2024/3/11/pakistan-police-crack-down-on-pti-protests-over-alleged-rigging-in-election>.

51 'PTI nationwide protests met with arrests', The Express Tribune, 10 March 2024, <https://tribune.com.pk/story/2458945/pti-nationwide-protests-met-with-arrests>.

52 'Joint Submission to the UN Universal Periodic Review 42nd Session of the UPR Working Group', CIVICUS, 14 July 2022, https://www.civicus.org/documents/UPR42_JointCIVICUS_Pakistan.pdf.

53 CIVICUS Monitor, 16 August 2022, op. cit.

disappearances in Balochistan.⁵⁴ It was initiated after the provincial Counter-Terrorism Department allegedly killed a 24-year-old man.⁵⁵ He had been in custody for a month, accused of possessing explosives. It is reported that the security forces in Islamabad used excessive force, including batons, teargas and water cannon, against peaceful protesters. Authorities arrested at least 20 people on 17 December 2023 while they were moving on the protest route from the Dera Ghazi Khan district in Punjab province towards Islamabad.⁵⁶

On 20 December 2023, Pakistan police and state authorities prevented peaceful protesters on the Baloch Long March from reaching Islamabad and placed barricades to impede them. The police also used excessive and brutal force against protesters, who included minors and older people. Reports indicated that those attacked included HRDs from families of Baloch disappeared people who have been campaigning for years to seek the truth about their loved ones, their release and redress for violations committed against them.⁵⁷ Videos shared on social media showed police dragging women, swinging batons and using water cannon in freezing temperatures.⁵⁸ Police arrested at least 290 Baloch activists on 20 December 2023.⁵⁹

RESTRICTIONS AND ATTACKS AGAINST THE WOMEN'S AURAT MARCH



Aurat march in Hyderabad, 9 March 2024
(Photo Credit: X/ @Arfana_Mallah)

In recent years, the annual march known as the Aurat March, held by women human rights activists on International Women's Day, 8 March, has faced repeated restrictions from police and harassment and attacks from non-state actors.⁶⁰

In 2019, the organisers received online death and rape threats. In February 2020, a petition by a lawyer was submitted before the Lahore High Court calling for a ban on the Aurat March. The petition was unsuccessful. Following the court's decision, a religious political party accused the Aurat March of 'vulgarity' and called on party members to block it should the government provide security to the

marchers. In March 2021, Aurat March organisers in Karachi were threatened online, while others in Lahore said they had received 'serious death threats' via email, phone and text messages. In 2023, some of the protesters were accused of blasphemy by those objecting to the march.⁶¹

Women's rights activists condemned actions taken against Aurat March participants by the Islamabad police on International Women's Day in 2024. According to the organisers, they were denied Non-Objection Certificates, which is a mandatory permission for rallies, to conduct the march for the fifth consecutive year, and the police obstructed the march.

54 CIVICUS Monitor, 22 January 2024, op. cit.

55 'Pakistan: Hundreds arrested, tear gas fired as female-led protests reach capital', BBC News, 21 December 2023, <https://www.bbc.com/news/world-asia-67783499>.

56 'Amnesty International condemns arrest of Baloch protesters, asks Pakistan to drop charges against them', Arab News, 19 December 2023, <https://www.arabnews.com/node/2428196/pakistan>.

57 'Pakistan: Excessive use of force and arrest of Baloch human rights defenders and peaceful protesters', Front Line Defenders, 21 December 2023, <https://www.frontlinedefenders.org/en/statement-report/pakistan-excessive-use-force-and-arrest-baloch-human-rights-defenders-and-peaceful>.

58 'Pakistan arrests activists to stop them from protesting in Islamabad against extrajudicial killings', AP News, 21 December 2023, <https://apnews.com/article/pakistan-police-arrest-baluchistan-activists-islamabad-9279b9e5eeb6a35384f7424faebf961d>.

59 'Pakistani police free 290 Baloch activists arrested while protesting extrajudicial killings', AP News, 25 December 2023, <https://apnews.com/article/pakistan-released-baloch-activists-extrajudicial-killings-56ae42c14be01d1ae957ab7fed3c4819>.

60 CIVICUS, 14 July 2022, op. cit.

61 'Aurat March condemns police blockade in Islamabad', Voicepk, 9 March 2024, <https://voicepk.net/2024/03/aurat-march-condemns-police-blockade-in-islamabad>.

CRACKDOWN ON PROTESTS IN PAKISTAN-OCCUPIED KASHMIR



Demonstration in Karachi in support civil rights groups protesting in Pakistan-ruled Kashmir, for subsidies on electricity and wheat prices, 13 May 2024 (Photo Credit: REUTERS/Akhtar Soomro)

Protests against rising costs of food, fuel and utility bills organised by the Jammu Kashmir Joint Awami Action Committee (JAAC) erupted in May 2024 in Pakistan-controlled Kashmir. Police met the protests with violence.⁶² The authorities tried to quell the protests by attempting to stop a rally headed for the Azad Kashmir capital of Muzaffarabad from Kotli and Poonch district, and arrested around 70 JAAC activists during raids on their homes and their relatives' homes in Muzaffarabad and Mirpur divisions, triggering serious clashes.⁶³ The police fired teargas shells to disperse the protesting crowd, some of which landed in a nearby school, injuring several girls.⁶⁴ The administration also implemented Section 144 of the Criminal Procedure Code in the region to restrict protesters from gathering.

62 'A police officer was killed in Pakistan-held Kashmir during protests against price hikes', AP News, 12 May 2024, <https://apnews.com/article/pakistan-kashmir-protest-inflation-1686174bcb224210405a66391c33f29b>.

63 'Pakistan PM says 'no tolerance' for violence amid Azad Kashmir protests over price hikes', Arab News, 12 May 2024, <https://www.arabnews.com/node/2508896/pakistan>; '1 police officer dead, over 90 injured in AJK clashes', Dawn News, 12 May 2024, <https://www.dawn.com/news/1832886>.

64 'Massive protest erupts in POK over taxes and arrests, Pakistan cracks down', India Today, 10 May 2024, <https://www.indiatoday.in/world/story/pok-protest-pakistan-jammu-kashmir-punjab-province-inflation-joint-awami-action-committee-dadyal-mirpur-2537596-2024-05-10>.



THE HUMAN RIGHTS COMMITTEE SHOULD RECOMMEND THAT THE PAKISTAN GOVERNMENT:

- Adopt best practices on freedom of peaceful assembly, as put forward by the 2012 report of the UN Special Rapporteur on the Rights to Freedom of Peaceful Assembly and of Association, which calls for simple processes for the notification of assemblies being held rather than permission being required, and by General Comment No. 37 on the right to peaceful assembly adopted by the UN Human Rights Committee in 2020.
- Amend the Maintenance of Public Order Law, 1960, in order to guarantee fully the right to freedom of peaceful assembly.
- Unconditionally and immediately release all protesters who have been detained for exercising their right to peaceful assembly and review their cases to prevent further harassment.
- Put an end to the harassment, stigmatisation and intimidation of women's rights activists involved in the Aurat March and bring all those involved in threats against them to justice.
- Immediately and impartially investigate all instances of extrajudicial killing and excessive force committed by security forces in the context of protests.
- Review and, if necessary, update existing human rights training for police and security forces, with the assistance of independent CSOs, to foster the more consistent application of international human rights standards, including the UN Basic Principles on the Use of Force and Firearms.
- Publicly condemn at the highest levels all instances of the use of excessive and brutal force by security forces in response to protests, launch formal investigations into such instances and bring the perpetrators to justice.
- Provide recourse to judicial review and effective remedy, including compensation, in cases of unlawful denial of the right to freedom of peaceful assembly by state authorities.

FREEDOM OF ASSOCIATION (ARTICLE 22)

Article 17 of Pakistan's Constitution guarantees the right to freedom of association. Article 22 of the ICCPR, to which Pakistan is a state party, also guarantees freedom of association. However, despite these commitments, CSOs are subject to extensive regulation involving multiple and lengthy procedures of registration, security clearances and approvals for funding. CSOs are often subject to intrusive registration requirements and vetting by military intelligence.⁶⁵

RESTRICTIONS FACED BY CSOS IN OPERATING AND ACCESSING FUNDING

In 2013, the Ministry of Economic Affairs introduced the 'Policy for Regulation of Organizations Receiving Foreign Contributions'.⁶⁶ According to this policy, all CSOs that receive or intend to receive foreign economic assistance are required to register and sign a Memorandum of Understanding (MOU) with the government.⁶⁷ However, in February 2022, the Sindh High Court declared that the policy was of no legal effect as the federal government did not take any steps to legislate for it.⁶⁸

Under a new Economic Affairs Division (EAD) policy in 2021, CSOs are required to obtain an MOU from the EAD and share information related to every project and donor with the EAD or face refusal of funding clearance by bank authorities. CSOs also face various barriers in operating.⁶⁹ At both the federal and provincial levels, the authorities require domestic CSOs to obtain a Non-Objection Certificate (NOC) before accepting foreign funding, booking facilities, using university spaces for events, or working on human rights matters. The government has often denied requests for NOCs, and critical CSOs face regular government monitoring and harassment.

International CSOs are regulated by a 2015 policy that human rights groups have found to be severely restrictive, and which can be used for political reasons to target critical organisations or individuals.⁷⁰ All foreign aid and advocacy organisations have to register and obtain an MOU with the government. The online registration for international CSOs makes the process for obtaining registration laborious, non-transparent and extremely challenging for many organisations. Both domestic and international organisations have also been subject to constant investigation and harassment by the security apparatus and other government offices during and after the registration process. International CSOs have faced additional barriers to fundraising, opening bank accounts and obtaining tax-exempt status from the Federal Board of Revenue, as well as visa denials for international staff and consultants.

THE HARASSMENT AND CRIMINALISATION OF HUMAN RIGHTS DEFENDERS



Human rights defender Idris Khattak, who was jailed in 2021 after a military court trial (Photo Credit: X/ @UNGeneva)

Article 12 of the UN Declaration on Human Rights Defenders mandates states to take the necessary measures to ensure the protection of HRDs. However, in spite of these protections the criminalisation, harassment and intimidation of HRDs have been documented.

HRD and political activist Idris Khattak had worked to defend the rights of the Pashtun community in northwest Pakistan, including by documenting enforced disappearances. Khattak was forcibly disappeared when his car was intercepted near the Swabi Interchange,

65 CIVICUS, 14 July 2022, op. cit.

66 'Policy for NGOs getting foreign funding declared 'of no legal effect'', Dawn News, 1 February 2022, <https://www.dawn.com/news/1672606>.

67 Policy For Local NGOs/NPOs Receiving Foreign Contributions, 2022, <https://www.icnl.org/wp-content/uploads/NGOPOLICY2022.pdf>

68 Dawn News, 1 February 2022, op. cit.

69 'Pakistan 2021 Human Rights Report', United States Department of State, 2021, https://www.state.gov/wp-content/uploads/2022/03/313615_PAKISTAN-2021-HUMAN-RIGHTS-REPORT.pdf.

70 'Pakistan: Withdraw Repressive New NGO Rules', Human Rights Watch, 6 October 2015, <https://www.hrw.org/news/2015/10/06/pakistan-withdraw-repressive-new-ngo-rules>.

KPK on 13 November 2019 by four unidentified men in plain clothes.⁷¹ He was kept in solitary confinement for two years and one month. Almost seven months after Khattak's disappearance, on 16 June 2020, the Ministry of Defence finally admitted that he was being held in state custody. Khattak was subsequently tried in a military court on multiple counts related to spying and other conduct 'prejudicial to the safety or interests of the State' under Section 3 of the Official Secrets Act and section 59 of the Pakistan Army Act, 1952. In December 2021, a secret military court sentenced him to 14 years' 'rigorous imprisonment' on trumped-up espionage charges after anonymous sources claimed he had provided sensitive information to a 'foreign intelligence agency'.⁷²



Muhammad Ismail and wife attend a court hearing, September 2022 (Photo Credit: X/@Gulalai_Ismail)

Muhammad Ismail, the father of women's HRD Gulalai Ismail, and his wife, Uzlfat Ismail have been subjected to judicial harassment since 2019 in retaliation to Gulalai's human rights work; she was forced to flee Pakistan in 2019, fearing serious risks to her life.⁷³ On 24 October 2019, when Muhammad Ismail was due to appear for the hearing, he was abducted by unidentified men outside the court. His location was discovered later that night by local civil society activists, who informed his family that he had been found in the custody of the FIA's cybercrime wing in Peshawar. The official confirmation of his arrest came on 25 October 2019, when he was produced at a special court of Peshawar and charged with hate speech and spreading 'fake information' against the government's institutions under the PECA. He was released on bail after 33 days in detention.⁷⁴ In September

2021, the UN Working Group on Arbitrary Detention found his detention to be arbitrary, falling within categories I (without sufficient legal basis), II (for exercising his rights guaranteed under the ICCPR), III (being denied of his right to fair trial) and V (for his work as an HRD and his relation to his daughter).⁷⁵ In February 2023, the anti-terrorism court in Peshawar acquitted Muhammad Ismail and Uzlfat Ismail of charges of conspiracy, sedition, terrorism and terror financing.⁷⁶ In January 2024, Ismail was acquitted of charges under PECA Section 9 (glorification of an offence), Section 10 (cyber terrorism) and Section 11 (hate speech).

Imaan Mazari, a distinguished human rights lawyer, was arrested without an arrest warrant on 20 August 2023 under the Anti-Terrorism Act on various charges, including sedition and disruption of state affairs, following a public speech she gave two days before.⁷⁷ She was granted bail before being rearrested a few hours later on a charge of funding terrorism and then released again on bail.⁷⁸ She is widely respected for her advocacy on behalf of persecuted religious and ethnic communities, particularly in relation to offences perpetrated by the Pakistani military and security forces, and one of the few lawyers who represents missing people in Islamabad.

71 'Attacks on Aurat March, Minorities and Critics Highlight Shrinking Space for Dissent in Pakistan', CIVICUS Monitor, 2 April 2021, <https://monitor.civicus.org/explore/attacks-aurat-march-minorities-and-critics-highlight-shrinking-space-dissent-pakistan>.

72 'Pakistan Sentences Rights Defender to 14 Years in Prison', Human Rights Watch, 6 December 2021, <https://www.hrw.org/news/2021/12/06/pakistan-sentences-rights-defender-14-years-prison>; CIVICUS Monitor, 31 December 2022, op. cit.

73 'Pakistan: Chronology of harassment against human rights defender Muhammad Ismail', CIVICUS, 1 April 2021, <https://www.civicus.org/index.php/media-resources/news/5018-pakistan-chronology-of-harassment-against-human-rights-defender-muhammad-ismail>.

74 CIVICUS, 1 April 2021, op. cit.

75 'Pakistan: UN Working Group concludes Muhammad Ismail was targeted because of his human rights work', CIVICUS, 18 October 2021, <https://www.civicus.org/index.php/media-resources/media-releases/5368-pakistan-un-working-group-concludes-activist-muhammad-ismail-was-targeted-because-of-his-human-rights-work>.

76 'Peshawar ATC acquits activist Gulalai Ismail's parents in sedition case', Dawn News, 15 February 2023, <https://www.dawn.com/news/1737268>.

77 'Pakistani activist rearrested hours after bail in sedition case: Lawyer', Al Jazeera, 28 August 2023, <https://www.aljazeera.com/news/2023/8/28/pakistani-activist-rearrested-hours-after-bail-in-sedition-case-lawyer>.

78 'Imaan Mazari-Hazir: Lawyer who called Pakistan army 'terrorists' re-arrested', BBC, 28 August 2023, <https://www.bbc.com/news/world-asia-66637600>.

On 27 November 2023, Pakistan police, accompanied by plainclothes police officers, raided the home of woman HRD Hooran Baloch in Quetta, Balochistan. According to Front Line Defenders, police forcibly entered the premises, where they threatened and filmed Hooran and her family without consent.⁷⁹ Hooran is the Research Coordinator of the Voice for Baloch Missing Persons (VBMP). VBMP, which was established in 2009, is a key organisation that supports victims and relatives of enforced disappearances in Balochistan. It documents violations and is a strong advocate for release, redress and accountability. At the end of the two-hour raid, police arrested Hooran’s brother-in-law, Ali Nawaz, who was released after being detained for two hours at the Satellite Town police station, Quetta.

ABDUCTION AND KILLING OF HUMAN RIGHTS DEFENDERS



Activist Jibrán Nasir that was abducted in June 2023 (Photo Credit: X/@bilalfqi)

HRDs have also faced abductions and killings. Jibrán Nasir, a human rights activist and lawyer, was abducted in Karachi on 2 June 2023.⁸⁰ In a video released on social media, Nasir’s wife Mansha Pasha said the couple were returning home from a dinner when a car intercepted them and around 15 men in plain clothes forcefully took Nasir away. Nasir had in the past contested national assembly elections and is considered one of the country’s most outspoken voices against rights violations. In the weeks before his abduction, he had increasingly criticised the nationwide government crackdown on PTI supporters.⁸¹ Nasir has accused the military of being behind the crackdown. Nasir was returned home a day after he was taken.

On 16 February 2024, activist Hidayatullah Lohar was assassinated in Nasirabad, his hometown in Larkana District, Sindh province. He was shot dead by an unidentified assailant, part of a group on at least two motorcyclists, while on his way to the school, Golu Gawans, where he taught.⁸² His death sparked protests, with some accusing the state of involvement because of his activism.⁸³ The killing followed persecution of Lohar for his activism. For over two years, from April 2017 to May 2019, he was kidnapped and disappeared due to his activism. Once he surfaced, Lohar reported that he had been severely tortured.

PERSECUTION OF ETHNIC MINORITY ACTIVISTS



PTM chief Manzoor Pashteen (Photo Credit: X/@ammaralijan)

The PTM is a loose network of Pashtun activists from KPK and Balochistan region that has mobilised nationwide against systemic discrimination and human rights violations targeting Pashtun people. They have faced arbitrary arrests and prosecution for their activism.⁸⁴ Their protests have also been restricted and censored in the media.

PTM chief Manzoor Pashteen has been systematically targeted since 2018. In March 2018, criminal cases were filed against him and four other PTM leaders for ‘provoking with intent to cause riot’ and

79 ‘Police Raid on Residence of Woman Human Rights Defender Hooran Baloch’, Front Line Defenders, <https://www.frontlinedefenders.org/en/case/police-raid-residence-woman-human-rights-defender-hooran-baloch>.

80 ‘Pakistani lawyer and activist Jibrán Nasir abducted, wife says’, Al Jazeera, 2 June 2023, <https://www.aljazeera.com/news/2023/6/2/pakistani-lawyer-and-activist-jibrán-nasir-abducted-says-wife>.

81 ‘Short-Lived Abduction of Outspoken Pakistan Activist Sparks Outrage’, Voice of America, 2 June 2023, <https://www.voanews.com/a/abduction-of-outspoken-activist-in-pakistan-sparks-outrage-/7120362.html>.

82 ‘Murder of Sindh Activist Hidayatullah Lohar in Pakistan Calls for International Reaction’, Bitter Winter, 19 February 2024, <https://bitterwinter.org/murder-of-sindh-activist-hidayatullah-lohar-in-pakistan-calls-for-international-reaction>.

83 ‘Protests held against teacher’s murder’, Dawn News, 20 February 2024, <https://www.dawn.com/news/1815610>; ‘Pakistanis say State killed Sindh activist Hidayat Lohar, publicly blame army’, The Print, 20 February 2024, <https://theprint.in/go-to-pakistan/pakistanis-say-state-killed-sindh-activist-hidayat-lohar-publicly-blame-army/1972635>.

84 ‘Rights group condemns arbitrary detention of protesters in Pakistan and the police killing of activist’, CIVICUS, 8 February 2019, <https://www.civicus.org/index.php/fr/medias-ressources/communiqués-de-presse/3720-global-rights-group-condemns-arbitrary-detention-of-pashtun-protesters-in-pakistan-and-the-police-killing-of-a-leading-activist>.



‘promoting enmity between different groups’ under Sections 153 and 153a of the criminal code.⁸⁵ In January 2020, he was arbitrarily arrested in Peshawar for criticising government policies based on a speech he gave in Bannu.⁸⁶ In October 2022, the police charged Pashteen with terrorism for ‘criticising heads and generals of the Pakistan Army’ during a speech.⁸⁷

In December 2023, Pashteen was arrested in connection with a shooting incident and for violating a ban on entering Balochistan province.⁸⁸ He was detained after authorities said armed men in his vehicle opened fire on police. However, the PTM issued a statement alleging that Pashteen’s vehicle was fired at by law enforcement agencies while he was travelling from Chaman to the nearby city of Turbat, where he was scheduled to address a protest.

In November 2023, PTM leader Ali Wazir was arrested in Dera. He was picked up by the Daraban police when travelling to Dera from Quetta in a private car. Several cases have been registered against Wazir in different police stations, pertaining to ‘making speeches against state institutions’ and ‘incendiary statements’.

Baloch civil society activist Jameel Umar was forcibly disappeared on 19 April 2024.⁸⁹ According to the Human Rights Commission of Pakistan, Umar was on his way from Kolwah to Turbat when unknown assailants on a motorcycle opened fire on his car and abducted him.⁹⁰ The Commission demanded his ‘immediate recovery and the assailants be identified and brought to justice’. Umar’s whereabouts are still unknown at the time of writing.

85 ‘Pakistan: Peaceful Pashtun activists face criminal cases’, Amnesty International, 19 March 2018, <https://www.amnesty.org/en/documents/asa33/8079/2018/en>.

86 ‘Pakistan: Release activists from Pashtun movement’, CIVICUS, 31 January 2020, <https://www.civicus.org/index.php/media-resources/media-releases/open-letters/4265-pakistan-release-activists-from-pashtun-movement>.

87 CIVICUS Monitor, 31 December 2022, op. cit.

88 CIVICUS Monitor, 22 January 2024, op. cit.

89 ‘Human rights groups condemn Baloch social activist Jameel Umar’s disappearance’, The Print, 19 April 2014, <https://theprint.in/world/human-rights-groups-condemn-baloch-social-activist-jameel-umars-disappearance/2048140/>

90 <https://x.com/HRCP87/status/1781013729481756847>.



THE HUMAN RIGHTS COMMITTEE SHOULD RECOMMEND THAT THE PAKISTAN GOVERNMENT:

- Take measures to foster a safe, respectful and enabling environment for civil society, including by removing legal and policy measures that unwarrantedly limit freedom of association.
- Review and amend the Policy for NGOs/NPOs receiving Foreign Contributions, 2021 and the 2015 Policy for regulation of INGOs to remove undue restrictions on freedom of association and bring them into compliance with ICCPR Articles 21 and 22.
- Remove all undue restrictions on the ability of CSOs to receive international and domestic funding in line with best practices articulated by the UN Special Rapporteur on the Rights to Freedom of Peaceful Assembly and of Association and immediately reinstate any CSO that have been arbitrarily deregistered.
- Provide civil society members, HRDs and journalists with a safe and secure environment in which to carry out their work, conduct impartial, thorough and effective investigations into all cases of killings, enforced disappearances, attacks, harassment and intimidation against them and bring the perpetrators of such offences to justice.
- Ensure that HRDs are able to carry out their legitimate activities without fear or undue hindrance, obstruction, or legal and administrative harassment such as travel restrictions under the Exit Control List.
- Undertake a consolidated process of repeal or amendment of legislation and decrees that unwarrantedly restrict the legitimate work of HRDs, in line with the UN Declaration on Human Rights Defenders.
- Halt the use of anti-terrorism legislation to arrest, detain and prosecute HRDs and activists for the peaceful exercise of their rights.
- Immediately and unconditionally release all HRDs detained for exercising their fundamental rights to freedoms of association, peaceful assembly and expression, and review their cases to prevent further harassment.
- Publicly condemn at the highest levels and put an end to all acts of harassment and intimidation of CSOs and activists, including judicial harassment.
- Systematically apply legal provisions that promote and protect human rights and establish mechanisms that protect HRDs, including by adopting a specific law on the protection of HRDs, in accordance with Human Rights Council resolution 27.31.