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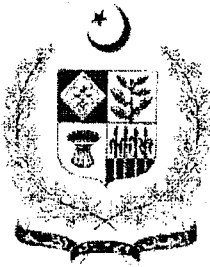
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**PERMANENT MISSION OF PAKISTAN
TO THE UNITED NATIONS AND
OTHER INTERNATIONAL ORGANIZATIONS**

56 rue de Moillebeau

1211 Geneva 19

Tel: (4122) 7491930

Fax: (4122) 734 8085

E-mail: mission.pakistan@ties.itu.int

Ambassador

No.Pol/Minority/2014

21st August 2015

My dear Special Procedures,

I am writing in response to your joint Urgent Appeal No.PAK 1/2015 dated 22 June 2015.

2. We would like to underscore at the outset that the democratically elected Government of Pakistan is fully cognizant of its responsibility to promote and protect rights of all its citizens, including minorities. We also want to remind all the signatories of the appeal that Pakistan is presently confronted by a wide array of terrorists, many of which are funded, trained and armed by forces inimical to Pakistan. These terrorists are the source of the attacks on citizens of Pakistan including religious minorities as well as women and children. The agenda of the terrorists is to disrupt and divide our society and our national fabric which subscribes to the tolerant and inclusive message of Islam. Therefore, the Special Procedures must differentiate between those who are responsible for attacking minorities in Pakistan and the Government of Pakistan which is committed to safeguarding and upholding the rights of minorities in the country who are equal citizens of Pakistan. It is also incumbent on the Special Procedures signatory to this appeal to recognize the extent of the challenges confronted by the Pakistani government which is trying to address them through our limited means and within the rule of law.

3. The Urgent Appeal has been shared with the relevant departments in Pakistan with the view to verify the facts and seek updated information on the cases referred therein. In response to the queries raised in the Urgent Appeal, I would like to share the following measures taken by the Government:

- i. Religious minorities are equal citizens of Pakistan and enjoy equal rights and protection under the law. The Constitution of Pakistan guarantees equal rights and status to all citizens, irrespective of religion, race, caste, colour or creed. It has several Articles that contain safeguards against any form of discrimination. In addition, the Pakistan Penal Code (PPC) and Criminal Procedure Code (CRPC) contain several provisions that protect minorities' rights against discrimination and hate speech.

- ii. Regarding Blasphemy Law, we would like to share that this law has its origins in the colonial era when it was inscribed into the Penal Code by then British rulers. Its purpose was and remains ensuring law and order in a multi-religious and multi-ethnic society by seeking to prevent inter-religious discord and incitement to violence through hate speech and actions. Its purpose is not to discriminate against any religious community but rather to protect its interests. This law is non-discriminatory as it applies to Muslims and non-Muslims alike. In fact, the majority of those accused under these laws are Muslims. Unfortunately, these laws have been misused by some individuals mainly for reasons of personal gain, but instances of such misuse are quite negligible. Successive governments have passed legislation to prevent its abuse. The Judiciary, especially the High and Supreme Courts have also ensured effective oversight. Most of the cases of blasphemy have failed to withstand the judicial scrutiny.
- iii. Prosecution of Asia Bibi and Sawan Masih on charges of Blasphemy should not be confused with discrimination against a particular minority group. Both the accuseds were convicted by the District and Session Courts after thorough investigations and proper judicial hearings. It may be pointed out that Asia Bibi and Sawan Masih have filed appeals against their convictions in the Supreme Court and Lahore High Court respectively. We believe that judiciary in Pakistan is free and both of them will be provided full opportunity of fair hearing in accordance with the dictates of due process of law.
- iv. Pakistan is a multi-cultural and multi religious society and people have always lived here in peace and harmony. Decades of conflict and instability in Afghanistan and global fault lines based on sectarian divide outside Pakistan have had a spillover effect on our society, which has suffered from terrorism and extremism that have affected the people of all faith. These challenges have been progressively addressed by the State and its machinery. Pakistan's policy for the protection and promotion of human rights of minorities is in line with the vision of its founding father, Quaid-e-Azam Muhammad Ali Jinnah. From time to time, the Government has been taking administrative and policy measures to ensure that minorities enjoy equal rights as equal citizens of Pakistan. Through various measures, the Government has always strived to establish an inclusive society in which people of various faiths can live in harmony. These include:
 - (A) The system of separate electorates for religious minorities was abolished in favour of universal adult suffrage on the demand of the minorities. In addition there are 10 reserved seats for religious minorities in the National Assembly, 4 in the Senate and 23 in the Provincial Assemblies.
 - (B) In accordance with a policy decision, Ministry of Religious Affairs was merged into Ministry of Interfaith Harmony in 2013 now named Ministry of Religious Affairs and Interfaith Harmony. This

has not only helped in dealing with Muslims and other religious minorities under the same institutional arrangement, but has also facilitated in fostering interfaith and interreligious dialogue and harmony at the grass-roots level.

- (C) Minister for Religious Affairs and Interfaith Harmony recently held meetings with Ulemas of all Muslim sects at Karachi, Islamabad, Lahore, Peshawar and Quetta and discussed with them all challenges relating to minorities including Sectarian issues. He encouraged them to abide by a common code of conduct.
- (D) National Commission for Minorities (NCM) was established as a result of a Federal Cabinet decision on 23 August 1993. On 16 July 2014, the Terms of Reference of NCM were revised with the view to make it more effective which include measures, among others, development of national interfaith harmony policy, taking stock of discriminatory practices against minorities, ensuring participation of minorities in all spheres of national life, redressal of grievances of minorities and preservation and protection of places of worship of all minority communities.
- (E) Since 2011, Pakistan celebrates 11th August as Minorities Day to promote understanding and harmony among all segments of society. On this day awareness building and inter-religious events are held all over the country which are projected through the media. Keeping up with this tradition, on 11 August 2015, the National Assembly and Senate on the occasion of Minorities Day passed unanimous resolutions expressing resolve to continue to play role for upholding the rights of minorities in Pakistan.
- (F) Although the minorities constitute 3 percent of the population, the government has fixed a 5 percent quota of jobs for minorities in all federal services.
- (G) The government has also made special budgetary allocation for grant of scholarships to deserving students from minority communities. Recently, the scholarship grant has been doubled.
- (H) Under the Presidential Ordinance titled "the protection of communal properties of minorities" promulgated on 22nd January 2002, no property of a minority community meant for its communal use shall be bought, sold or transferred by any person without the issuance of NOC from the Federal Government. This has helped in safeguarding the religious rights of minorities.

- (I) For upkeep of Religious Places a total of 220 Small Development Schemes have been approved for the welfare and uplift of minorities during the last two years.
 - (J) Representation of minorities is assured in the local government institutions. These representatives participate in discussion and decision making regarding the utilization of local development funds.
 - (K) To sensitize the police and to further improve law enforcement agencies' response on issues concerning human rights, including the rights of minorities, a comprehensive programme of human rights/gender sensitization has been included in the curricula of police training schools, colleges and the National Police Academy. The National Police Bureau actively engages with human rights activists, lawyers and members of the civil society in order to better implement this policy.
 - (L) Government has been providing compensation to victims belonging to minority communities. For instance, affectees of Joseph Colony, Lahore (109 persons) were provided financial help of Rs.500,000/- each on 15 March 2013 and 24 April 2013.
 - (M) The maintenance and upkeep of religious sites, shrines, temples, churches etc. is done at government expense.
- v. In order to promote interfaith dialogue and harmony, Ten (10) Religious Festivals of Minorities are celebrated officially in Pakistan. These festivals include Christmas and Easter for Christians, Holi and Diwali for Hindus, Biasakhi and Birthday of Guru Nanak for Sikhs, Nauroze for Zoroastrian, Eid-e-Ridvan for Bahai's, Festival of Lights for Buddhist community and Chelum Jhust for Kalasha people. Political leaders, public representatives as well as Muslims take part in these religious festivals. These festivals are widely covered by the print and electronic media. For instance, the President and /or the Prime Minister host special functions in the Presidency/Prime Minister House on these occasions for Christians, Hindus, etc. They also at times attend religious ceremonies in Churches, Temples and Gurdwaras. In 2014, following religious festivals of the minorities were celebrated officially:
- Holi-2014 of Hindu community celebrated on 18 March 2014 at Pakistan National Council of the Arts (PNCA), Islamabad.
 - Eid-e-Ridvan – 2014 of Bahai's community celebrated on 24 April 2014 at PNCA, Islamabad.
 - Easter – 2014 of Christian community celebrated on 6 May 2014 at PNCA, Islamabad.

- Dewali – 2014 of Hindu community has been celebrated on 11 November 2014 at PNCA, Islamabad.
 - Christmas – 2014 of Christian community celebrated on 22 December 2014 at Aiwan-e-Sadr (President House), Islamabad.
- vi. The Sikh community celebrates six of its religious events in Pakistan every year, for which thousands of Sikhs also travel to Pakistan from abroad. Thousands of Sikh pilgrims, including those from India, in November 2013, joined a large religious gathering at Nankana Sahib in Pakistan's Punjab province to mark the birth anniversary of Guru Nanak, the founder of the Sikh religion. Authorities put in place special arrangements for the 'Akhand Pat' gathering in Nankana Sahib, the birthplace of Guru Nanak.
- vii. With reference to instances of violence against the Sikh community mentioned in the Urgent Appeal, it may be pointed out that Pakistan is the biggest victim of terrorism, having lost more than 62,000 lives in the last decade, which also includes the unfortunate incidents involving the death of members of our minority community including the Sikh community. These acts of violence are not systematic. Nevertheless, the Government of Khyber Pakhtunkhwa has issued proper instructions to all Regional and District Police Officers for the security of Sikh community and their places of worship. Round the clock police guard has been deputed on all Gordwaras/Temples, with deployment of 10 extra personnel during prayer timings. Residential areas of Sikh community in PS Shah Qabool have been given additional protection by enhancing the monitoring of entry points through foot and mobile patrolling in the area.
- viii. The Hindu community celebrates its religious festivals like Diwali, Holi or Baisakhi. Every year, in March, Hindu pilgrims come from India and along with Pakistani Hindus travel to Katas Raj at Choa Saidan Shah in Chakwal District to perform their religious rites and to celebrate their religious ceremony of Shivratni. Hindu pilgrims also visit Baluchistan province for which the government authorities make special arrangements for their travel and stay at Hinglaj in Hingol National Park along the Makran Coastal Highway.
- ix. The Government is taking a number of measures to ensure religious and inter-communal peace and harmony. In November 2014, thousands of Indian pilgrims and pilgrims from other countries visited Pakistan to celebrate the birth anniversary of Baba Guru Nanak, the founder of Sikh religion. The pilgrims visited Nankana Sahib, Hassan Abdal and other cities to pay visits to the temples of their religious and spiritual leaders. Recently, 1,717 pilgrims from India and 1,500 pilgrims from UK, US, Canada, Malaysia and other countries were in Pakistan on a 10-day visit (11-20 April 2015) to celebrate Baisakhi. It may be underlined that every year Government of Pakistan provides the

pilgrims transportation, lodging and boarding free of cost in order to facilitate their participation in the religious festivals.

- x. The facilities accorded by the Government have helped in advancing culture of peace and interfaith dialogue with religious minorities. Besides, the Government has officially notified as optional holidays Besant, Punchami, Shivaratri, Holi, Dulhandi, Giarhwin Sharief, Good Friday, Easter Sunday, Baisakhi, Janam Ashtami, Nauroze (Parsi's New Year Day), Birthday of Lord Zoroaster (Khordad Sal), Durga Pooja Dussehra, Birthday of Guru Valmik Sawami Ji, Diwali, Guru Nanak's Birthday and Christmas for the respective religious minorities.
- xi. It is pertinent to mention that like other minorities, Ahmadi community in Pakistan is also free to profess its religious belief. Article 20 of the Constitution truly safeguards this right. In this regard, the view that Ordinance XX legalizes persecution is unfounded and distortion of legislation. At present, many members of the Ahmadi community hold important positions in the services of Pakistan, both civil and military. Not a single Ahmadi has been dismissed from Government employment on ground of his religion.
- xii. The incident of violence against females of Ahmedi Community in Gujranwala is unfortunate. However, it is yet to be established that the crime was religiously motivated or otherwise. A case against the perpetrators was immediately registered on 28 July 2014. Three of the accused mentioned in the FIR were immediately arrested and currently investigations are underway.
- xiii. Given the predominant Sufi tradition of Islam in Pakistan, which is highly tolerant and inclusive of all faiths, the "Urs" or birth celebrations of different Sufi saints in Pakistan provide an occasion for all religious groups of Muslims, Hindus, Christians and Sikhs, to jointly celebrate their events.
- xiv. Realizing the imperative need to promote interfaith dialogue at the grass-roots level, the Government of Pakistan has constituted 124 Interfaith Harmony Committees at the district level with representation of both Muslims and religious minorities. The Committees meet regularly on a monthly or quarterly basis to review the situation prevailing in the district with regard to the security and welfare of minorities, promotion of inter faith harmony, and building better understanding between majority and minority communities.
- xv. To further advance the objective of interfaith dialogue and harmony, the erstwhile Ministry of National Harmony organized several conferences under the leadership of Advisor to the Prime Minister on National Harmony, Mr. Paul Bhatti. Among these, the most significant was the National Conference on the theme of "Living Together with Diversity: Inter-faith and Inter-Cultural Dialogue" which was held from

20-22 February, 2013 in which the Prime Minister and President of Pakistan participated.

- xii. We have also devised programs to maintain an inclusive and tolerant society in Pakistan, with a view to promote a culture of peace and harmony in the country. In this regard, particular focus has been made to educate the youth through training and awareness raising. A wide range of deradicalization and skill development programs have been launched for the youth to keep them away from the influence of radical elements. For instance, project Sabaoon was introduced in the Malakand district of Khyber Pakhtunkhwa in the wake of law enforcement operation in Swat in 2009. The Project is aimed at de-radicalizing teenage boys through education. Boys recovered from militants or extremists are provided secondary school education with residential facilities under supervision of psychologists and child specialists. Over 1150 young men have benefited from this programme and reintegrated into the society. In 2010, a second similar facility was also opened for girls.
- xiii. Pakistan's Independent judiciary and the legal community have taken wide ranging steps for upholding the rule of law and ensuring the protection of constitutional rights of all citizens including religious minorities. As an example, it may be underscored that no sentence of a lower court in blasphemy laws has been upheld by the higher courts and no one has been punished under these laws. In this regard, it is also pertinent to mention that human Rights Cells in the Supreme Court and the High Courts have been established for redressal of human rights complaints.
- xiv. The Supreme Court has actively and successfully pursued cases related to alleged forced conversions of Christians and Hindus and discouraged it. In several cases, suo moto action has been taken by the Supreme Court. In such cases, the courts have ensured that concerned individuals have an opportunity to express their wishes to convert (or complain about any threat/pressure they may be facing) in complete privacy and safety. The Supreme Court has also given them a period of reflection away from all sources that may influence their decision. The Commission on Minorities is also seized of the matter and is in the process of preparing recommendations for discouraging this practice. To this end, deliberations are already underway on Minorities Protection Bill to protect the Personal Laws of Minorities including legislation on Hindu, Sikh, Parsi and Bahai's Marriage Acts.
- xv. Religious leaders play an influential role in promoting interfaith dialogue and countering all forms of discrimination. Several interfaith dialogue organizations have been established by Muslim religious leaders. They have organized and participated in several interfaith conferences both in Pakistan and abroad. They are ardent promoters of human rights, religious freedom, interfaith dialogue and respect for all.

They often appear on TV channels to ease tensions which sometimes arise among different religious communities.

- xvi. In 2014, Pakistan Ulema Council (PUC) devised a Code of Conduct to combat hate speech and religious intolerance in the country which was endorsed by The Council of Islamic Ideology (CII).
- xvii. The PUC also held an Ulema and Mashaikh Peace Convention and National Peace Conference in Karachi on April 16 2014. In this conference, representatives of all religions, sects and the country's major political and religious parties unanimously condemned religiously motivated incidents of extremism and terrorism and decided to form a national reconciliation council that would try to immediately resolve future problems and also review problems that occurred in the past.
- xviii. Lately, it has also been witnessed that religious leaders are the first ones who condemn acts of discrimination and incitement to hatred against religious minorities. For instance, the Pakistan Ulema Council (PUC) was one of the first to condemn false accusation of 14 years old [REDACTED] who was allegedly accused of blasphemy. Subsequently, on 14 November 2012, the case against her was dismissed by the Islamabad High Court. The cleric of the mosque in Rimsha's area, who apparently tampered with evidence by desecrating the Holy Quran, was detained by police and tried under the same Blasphemy Law-Section 295-B.
- xix. After the tragic incident of Badami Bagh in which houses of Christians were torched by a mob, Pakistan Ulema Council (PUC) organized a National Solidarity Conference on 20th March 2013. In this conference, representatives of more than 30 politico-religious parties and different religions and sects participated. In a joint declaration issued at the conference, the participants condemned the target killings in Karachi, incidents of terror in Quetta, Abbas Town (Karachi) and Badami Bagh Lahore in which more than 150 Christians' houses were put on fire by mob on the alleged blasphemy issue. They demanded punishment for all those involved in looting and putting the houses of innocent Christians on blaze.
- xx. It may be underscored that The Church of Pakistan Bishops (Protestant) is also on the front lines in promoting justice, peace, religious freedom and dialogue among religions. The Rt. Rev. Dr. Alexander John Malik, Bishop of Lahore diocese and The Rt. Rev. Samuel Robert Azriah, Bishop of Raiwind diocese and Moderator of the Church of Pakistan have established interreligious dialogue, justice and peace committees. They are ardent promoters of ecumenical dialogue. The Catholic Church and other Churches also observe Week of Christian Unity from 18 to 25 January every year. Several seminars, conferences and prayer services are conducted to observe this week of Christian unity in a befitting manner.

- xxi. Vigilant citizenry plays a crucial role in speaking out against intolerance. The resilient people of Pakistan are committed to preserving their tolerant way of life, fighting against extremist forces and protecting religious minorities. The barbaric attack on All Saints Church in September 2013 was regarded by every citizen of the country as an attack on his or her place of worship. One week after the attack, students of Lahore University of Management Sciences (LUMS) organized a candlelight prayer vigil on campus in response to the attack on the church. As a result of discussions among the students, a new initiative called Aahang ("harmony") was started. Aahang strives to achieve greater tolerance, plurality, and inclusiveness in a culturally rich, religiously diverse and colorful Pakistani society.
- xxii. An unprecedented solidarity event took place on Sunday, October 6, 2013 at St. Anthony's Church in Lahore, two weeks after the attack in Peshawar by the name "Pakistan for all". The world witnessed thousands of Pakistanis carrying signs that read, "One Nation, One Blood", "Many faiths, one God" and "No more dialogue, only action!" and peacefully gathered and formed a human chain around St. Anthony's Church while Mass was held inside the church.
- xxiii. The Pathfinder group, a private security company has provided free of cost security around the Peshawar Church that was attacked. This is done on every Sunday during the Church mass.
- xxiv. A number of civil society organizations are working in Pakistan for the promotion of interfaith dialogue and harmony. For instance, an interfaith conference – Religious extremism: causes, impact and way-out – was held under the auspices of International Human Rights Commission in collaboration with Centre for Human Rights Education-Pakistan and South Asian Communalist Council on 13 February 2014. Similarly, Interfaith Consultative Conference was organized on 14 March 2014 by the Peace and Harmony Network.
- xxv. The free and active media in Pakistan continues to help to counter the extremist narrative and foster respect for religious diversity. More than 100 T.V. channels and Radio stations are operating in Pakistan. Around 1500 newspapers and periodicals in over a dozen languages are published. A number of channels focus on human rights, including minority rights, through discussions on challenging religious, social and cultural issues. Religious scholars of majority and minority communities are regularly invited in programs broadcasted on various T.V. channels and Radio stations.
- xxvi. In recent years, social media has become a powerful tool for dialogue and engagement. There are a number of Facebook pages and twitter accounts started by Pakistanis for condemning extremism and intolerance and for promoting interfaith dialogue and harmony. It was through the use of social media which led to galvanizing of thousands of

Pakistanis to join the human chain formed around St. Anthony's Church in Lahore on 6 October 2013.

- xxvii. In June 2014, Law Enforcement Agencies successfully launched operation Zarb-E-Azb against terrorist and extremists who had been mainly responsible for the indiscriminate killing of more than 60,000 innocent people which included women, children, security personnel and members of religious minority groups.
- xxviii. In December 2014, a National Action Plan to combat terrorism was devised which included steps, among others, countering hate speech and extremist material, ensuring against re-emergence of proscribed organizations that promote violence on religious grounds. Taking effective steps against religious persecution, registration and regulation of madrassas, ban on glorification of terrorism and terrorist organizations through print and electronic media and Dealing firmly with sectarian terrorists.
- xxix. The Government of Pakistan is taking various measures to curb sectarian violence in the country. Firstly, it is keeping a close watch on clandestine activities through police, intelligence departments and other law enforcement agencies. Secondly, the National Internal Security Policy (NISP) recognizes the threat posed by violent sectarian elements and deals with sectarian and other threats to internal security in a comprehensive manner. Thirdly, the Government is already taking action against all kinds of sectarian organizations that preach hate.
- xxx. With reference to some unfortunate acts of violence in Balochistan, the Government and law enforcement agencies have taken various steps to curtail sectarian violence in the province. Police has arrested Hafiz Muhammad Usman, Dawood Badeeni, Abdul Jalil Ababkki, Shafiq Rind, Habibullah Shamim Ahmed, Haidar Khan, Muhammad Jan, Abdul Waheed, Mohammad Qasim, Shoukat Ali and Abdul Hakeem for their involvement in sectarian killings. All the above mentioned criminals involved in sectarian killings are currently confined in jails. A notorious sectarian killer Ali Sher Haideri was recently killed in an armed encounter with Police. The Government of Balochistan has also announced head money for most wanted terrorists involved in sectarian killings.
- xxxi. The Government of Pakistan has taken various steps to ensure the promotion and protection of human rights in the province of Balochistan, with a view to curb the incidents of violence in the Province. A development strategy for Balochistan has been the priority of the Government, which is aimed at improving the law and order situation in the province. As part of such efforts, there has been marked reduction in crimes in Balochistan during 2014.

xxxii. In a move to accelerate implementation of the National Action Plan (NAP) to counter terrorism, the government plans to introduce new laws to combat hate speech in the country by criminalizing it. Under the proposed 'Hate Speech and Inciting Literature' laws, to express hatred towards someone based on ethnicity, religion, sect, nationality, race or colour that incite violence would be prohibited and would be punishable under the law.

xxxiii. Under the NAP, the Government has also set up military courts to prosecute terrorists and extremists who had been intimidating, harassing and attacking judges and lawyers. This has resulted in decrease in number of incidents of terrorism and violence and attacks against all citizens, including minorities by 50% over the past few months. An Inter-Ministerial Review Committee has also been established by the Ministry of Religious Affairs & Interfaith Harmony (June 2015), which will meet fortnightly to discuss issues of human rights violations of minorities and also take initiative to promote interfaith harmony in the country.

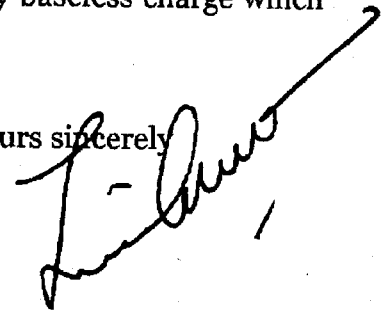
xxxiv. Currently Pakistan is also finalizing National Action Plan (NAP) for the Promotion and Protection of Minorities Rights. Some of the steps in this NAP, include among others, strengthening of National Commission for Minorities, special arrangements for securing places of worship of minority communities, exemplary punishment to those who commit crimes against minorities, introduction of human rights education in schools with a particular focus on interfaith dialogue and minority rights, scheme for providing financial assistance to vulnerable groups from minority community, 5 percent quota for minorities in federal jobs, raising awareness through media, measures to prevent misuse and abuse of Blasphemy law and criminalization of hate speech and incitement to hatred which leads to imminent violence.

4. In view of the aforementioned wide-ranging steps taken by the Government, we believe that the Special Procedures have taken a very narrow view of a highly complex situation. We would further like to highlight that the Special Procedures should be mindful of the deliberate propaganda to malign the country by some criminal and other elements inimical to Pakistan. Some of these criminals have absconded and found sanctuaries in countries abroad on the pretext of grave human rights situation in Pakistan, which is quite contrary to the ground reality. It is quite unfortunate that these people are afforded fora to make baseless allegations against Pakistan.

5. It is a fact that in recent years there have been attacks on minority communities. However, they are a small fraction of over 62,000 people killed in the country as a result of terrorism and extremism, the overwhelming majority of whom are mainstream Sunni Muslims who remain the main targets of terrorism and extremism. In this connection, the Special Procedures have themselves acknowledged the "difficulties involved in combating violence by groups advocating extreme religious and political views, and to protect individuals or groups targeted by them".

6. Therefore, we deeply regret that the Special Procedures have contended that there is a "climate of impunity" in the country. We would like to underscore that the Government of Pakistan has employed all resources available to promote and protect the rights of its citizens. Pakistan has been adversely affected by the War against Terrorism in the aftermath of 9/11. We continue to pay human and material cost of this war. We urge the Special Procedures to be mindful of the challenges faced by the Government and desist from alleging that the Government is responsible for "widespread, systematic and persistent discrimination and violations of human rights" of minorities which is a totally baseless charge which we firmly reject.

Yours sincerely



(Zamir Akram)

Ambassador & Permanent Representative

1. Ms. Emna Aouij,
Chairperson Rapporteur of the Working Group on the issue
of Discrimination against Women in Law and in Practice
2. Mr. Kishore Singh,
Special Rapporteur on the Right to Education
3. Mr. Heiner Bielefeldt,
Special Rapporteur on Freedom of Religion or Belief
4. Ms. Izsak Rita,
Special Rapporteur on Minority Issues
5. Mr. Christof Heyns,
Special Rapporteur on Extrajudicial,
Summary or Arbitrary Executions
6. Ms. Rashida Manjoo,
Special Rapporteur on Violence against Women,
Its Causes and Consequences,
Office of the High Commissioner for Human Rights,
Geneva