



**PERMANENT MISSION OF PAKISTAN  
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The Permanent Mission of the Islamic Republic of Pakistan to the United Nations and other International Organizations in Geneva presents its compliments to the Special Procedures Branch of the Office of High Commissioner for Human Rights (OHCHR), and has the honour to submit response of the Government of Pakistan to the joint communication no. AL PAK 2/2021 dated 22 January 2021.

The Permanent Mission of the Islamic Republic of Pakistan avails itself of this opportunity to renew to the Special Procedures Branch, OHCHR the assurances of its highest consideration.

Encl: as above.



Special Procedures Branch,  
Office of the High Commissioner for Human Rights (OHCHR),  
**Geneva**

**Attention:**

Ms. Beatriz Balbin, Chief

**Response by the Government of Pakistan to the Joint Communication no. AL PAK**  
**2/2021 dated 22 January 2021**

Pakistan is fully committed to the protection and promotion of all basic human rights and fundamental freedoms. Our Constitution (Article 19) and national legal framework provide for necessary protection of freedom of expression as well as the right to information, in line with international human rights law.

As a progressive and participatory democracy, the Government of Pakistan recognizes the important role played by journalists and human rights defenders in fostering public dialogue and debate, and is fully committed to providing a safe and enabling environment to them for carrying out their legitimate work, within the national legal framework.

To translate this commitment into a concrete legislative, administrative and policy framework, Pakistan continues to undertake measures, aimed at protecting and promoting freedom of expression and opinion, especially of journalists/human rights defenders. A brief description of some of these measures is outlined below:

- a) The issue of safety and protection of journalists has been actively discussed in the Standing Committee on Human Rights and the Functional Committee of the Senate.
- b) The Federal Cabinet continues to take due cognizance of any reported case of harassment and intimidation of journalists.
- c) The Government has prepared the "Protection of Journalists and Media Professionals Bill, 2020", which proposes a comprehensive legal and institutional framework for ensuring a conducive environment to journalists and media professionals. The Bill is product of extensive consultations held with representatives of media professionals and journalists. After finalization by the Ministry of Information and Broadcasting and Ministry of Human Rights, the draft Bill has been forwarded to the Cabinet Committee for Disposal of Legislative Cases for review and onward submissions / approvals.
- d) The Ministry of Information and Broadcasting itself and its attached Press Information Department (PID) continues to maintain structured engagements with associations of journalists, media organizations and other stakeholders on issues concerning media industry in general and safety and security of journalists in particular. Recent matters on which they were / are being engaged include Advertisement Policy 2021, Protection of Journalists and Media Professional Bill 2020, Wage Board Award for Newspapers 2019 and supervision of Implementation Tribunal for Newspaper Employees (ITNE). Press clubs across the country were also engaged recently and financial

assistance of around PKR 6.5 million have been allocated to support their operations.

- e) On April 7, 2021 a meeting with journalists and their representative Pakistan Federal Union of Journalists (PFUJ) was called, wherein matters concerning financial, legal and physical security of media workers were discussed in detail and a way forward on various issues was agreed.
- f) Financial assistance of PKR 17 million has been allocated under various financial aid heads for onward distribution among journalists in financial and physical distress or those victimized, injured or killed in the line of duty, directly and through different press clubs. Formal SOPs in this respect were also notified by the Ministry of Information and Broadcasting on June 16, 2020.
- g) Ministerial Media Security Committee, which was constituted by the Ministry of Information & Broadcasting, has been mandated to provide necessary security to the journalists and media houses. It carries out effective coordination with the respective Provincial governments (as security and protection is mandate of Provincial government) along with media representative bodies (All Pakistan Newspaper Society, Council of Pakistan Newspaper Editors, Pakistan Broadcasters Association & National Press Club).
- h) In order to ensure safety of media houses and workers, following activities were also conducted:
  - a. Security audit of media houses was carried out across the country.
  - b. Home and Information Secretaries of all provinces were issued instructions to ensure the installation of Panic Alert Buttons in all media houses, press clubs and news agencies' offices.
  - c. It was made mandatory to train media workers for safe mode of coverage of incidents.
  - d. Training of security guards employed by media houses was done.

Apart from the above mentioned positive steps being undertaken to promote the safety of journalists and human rights defenders, **factual update on most of the alleged cases** indicated in the joint communication is being shared to clarify the position of the Government of Pakistan.

Sr. No.	Name of Accused Person	Enquiry/ Case No.	Legal Basis	Status of the case	Facts of the case	Action taken by relevant Government Department
1	Mian Dawood	E-235/20 CCRC Islamabad	U/S 2011 of PECA-2016	Under investigation	Serious complaints have been received against the individual, regarding targeted social media campaign on sectarian lines and allegedly inciting people to violence and threatening life of the complainant.	After verifying the contents of the complaint and <b>getting the permission from the Honourable Court to conduct a formal enquiry</b> , subscriber details of the alleged users were obtained. On the basis of subscriber details, notice of attendance u/s 160 Cr. P.C was sent to Mian Dawood but he did not appear before the Enquiry Officer. Enquiry is under process.
2	Amir Mir	E-145/20 CCRC Islamabad	U/S 2011 of PECA-2016	Under investigation	A complaint was received from Atta urRahman against the web TV channel namely googlynews.tv run by the said individual, airing controversial defamatory videos/ news.	The contents of the complaint were verified by the verification officer and 25 defamatory videos were identified. <b>After permission from the Honorable Court</b> for a formal enquiry, the owner of googlenews.tv, Mr. Amir Mir, was summoned under section 160 Cr. PC. He visited Cybercrime office and requested to issue questionnaire regarding the allegations raised

						against him in the complaint. A questionnaire was issued to him. His reply to the questionnaire is under consideration.
3	IzharulHaq	FIR-02/20 CCRC Lahore	U/S 2011 of PECA-2016 R/w 505-PPC.	Under investigation	A complaint was lodged against Mr. IzharulHaq for publically circulating material, mocking the national anthem of Pakistan on his Facebook page.	<b>Permission was acquired from the Honourable Court</b> to conduct a formal investigation during which it was revealed that the alleged Facebook account was created against the name of AzharulHaq and was found active. <b>Interim challan has been submitted before the competent Court of Law.</b>
4	GulBukhari	E-258/20 CCRC Islamabad	U/S 2011 of PECA-2016	Under investigation	A complainant approached the relevant authorities regarding a targeted defamatory social media campaign by the individual against him (i.e. complainant).	<b>After getting permission from the Honorable Court</b> , a formal enquiry was registered and notice u/s 160 CrPC issued to Ms. GulBukhari on her residential address, but she has yet to respond.
5	Asad Ali Toor	E-618/20 CCRC Rawalpindi	U/S 2011 of PECA-2016	Closed	A complainant approached the relevant authorities regarding a targeted defamatory social media campaign	After receiving a police file from local police, <b>permission from the Honourable Court was obtained</b> and a formal enquiry was registered. FIA summoned the accused, recorded his

					by the accused against him (complainant).	statement and submitted report before the Honourable Lahore High Court Rawalpindi Bench. <b>Enquiry was closed due to lack of evidence.</b>
6	RanaArs had	E-254/20 CCRC Islamabad	U/S 20,24 PECA-2016	Closed	A complaint was received from a journalist of news outlet "Business Recorder", regarding threatening email and voice messages on WhatsApp received from the accused.	After verifying the contents of the complaint, <b>permission from Honourable Court was obtained</b> , a formal enquiry was registered and the notice of attendance u/s 160 Cr. P.C was sent to the accused.  <b>Enquiry was closed because no relevant data supporting the complaint was found.</b>
7	Ajeeb Ali Lakho	No.1111 of 2019, No.4416/2 020, No.3715/2 020	22-A and B CR.P.C	Closed	Mr. Lakho who introduces himself as President of Press Club Gambat as reporter for daily 'Koshish', has been driven out of the press club Gambat by his fellow journalists with a ban on his entry in to the press club. He has been fired from the newspaper 'Koshish' by its editor Mr. NematKhuhro	<b>Complaints of Mr. Lakho have been dismissed by the Honourable Courts</b> on grounds of being frivolous, acts of revenge, settling of personal grudges, and intended to pressurize the police.  A few cases and the judgments given by the honourable Courts are reproduced here to clarify the point that the information shared with the SPMHs was factually incorrect.

				<p>who publicly denounced Mr. Lakho citing his objectionable, obnoxious and unpleasant involvement in blackmailing practices. In the alleged instant list of allegations, Mr. Lakho has misrepresented and distorted the facts. Most of the cases have been registered against him by his fellow journalists. The complainant in case FIR No. 64/2020 is a senior reporter of daily 'Sobh' newspaper and a Tehsil reporter of 'ARY News'. In case FIR No. 105/2019 the complainant is Mr. Safdar Ali who is a member execute committee of Gambat Union of Journalists under Pakistan Federal Union of Journalists. Other FIRs/ cases have been registered by</p>	<p><b>Case A(16 April 2019)</b> Mr. Lakho filed a case against SSP NausheroFeroze, claiming that he had filed fake cases against 19 people and was keeping his clerks and junior staff in the same position since 1995, which is in contravention to policy of rotation of IGP Sindh. He claimed that his clerks and junior staff were posted since 1995 and the SSP himself was posted in NausheroFeroze due to personal contacts.</p> <p><b>HonourableCourt held that</b>"From minute perusal of complaint and statement of complainant, it appears that complainant AjeebLakho has got personal grudge against SSP Nausheroferoze for the reason best known to him. Application/complaint appears to be false, baseless, meritless and without proof. Apart from it, complainant who is habitual to make false complaints wants to blackmail SSP Nausheroferoze due to his personal grudge. Therefore, complaint stands dismissed with a warning to complainant to</p>
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				<p>private complainants and are pending trial in courts of law. In the case where Police is complainant, illegal weapons were recovered from Mr. Lakho within the premises of Gambat Court compound.</p> <p>Various complaints were filed by Mr. Lakho against SSP Naushero Feroze, Deputy IG Police (Sukkur), SHO Gambat etc. regarding intimidation, threats, harassment, spreading of propaganda, nepotism in hiring of junior staff, physical assault by the police etc.</p>	<p>be careful in future, and he should refrain to file false complaints against any public servant”.</p> <p><b>Case B (1111 of 2019)</b> Mr. Lakho claimed that Deputy IG Police (Sukkur) had started propaganda against him, and was sending people to his house to harass him. Police tried to apprehend him but were averted due to the neighbours.</p> <p><b>Honourable Court held</b> that general allegations were made by Mr. Lakho and his application appeared to be false, baseless, meritless and without proof. The Court further held that “the instant application has been filed by the applicant against the respondents only to pressurize them. I do not find any substance in the application/petition. However, at the same time, it is expected that the respondents will not take an action against the applicant/petitioner, except in due course of law”.</p> <p><b>Case C (No.4416/2020)</b> It relates to FIR No. 32/2020. Mr. Lakho and his brother were beaten,</p>
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					<p>taken to hotel and threatened to withdraw cases filed by him against Mr. Iqbal Ahmed Dara and was pressurized to pay Rs. 15 lac. Applicant asked SHO to take action.</p> <p><b>Honourable Court held</b> that no medical record of being beaten was produced by Mr. Lakho. Both applicants already had FIRs lodged against the accused for which Court held that further litigation is not allowed. "I find no prima facie and merits in the instant application and applicant has not come before this court with clean hands, as such, application in hand starts dismissed".</p> <p><b>Case D (No.3715/2020)</b></p> <p>It relates to FIR No. 151/2019 and No.10/2019. Case was filed by Mr. Lakho's brother against same accused (Mr. Iqbal Ahmed Dara) as in Case C. The complainant registered a complaint against the accused of robbing him.</p> <p><b>Honourable Court held</b> that the accused had registered an FIR against Mr. Lakho, brother of the applicant and "in order to</p>
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						avoid legal action and save his brother, the applicant has filed this application". The Court further held that "after scrutinizing the material available on record, it appears that it could not be ruled out that the efforts aimed to falsely implicate his rivals (applicants) and take revenge. The application filed by the applicant is devoid of force".
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### **Conclusion**

The above table indicates that the sources of information misrepresented facts of the cases, as no harassment has been done by the State institutions due to journalistic work of any referred person. Many of the cases mentioned in the joint communication have been initiated on basis of alleged defamation by ordinary citizens. The attempt to escape persecution by presenting disingenuous justifications is, in fact, detrimental to the promotion and protection of freedom of expression and opinion. In case of Mr. Ajeeb Ali Lakho, the Court even concluded that he was blackmailing the State officials. Notwithstanding this, due process guarantees are being fulfilled during the investigation, prosecution and adjudication of the cases. Necessary judicial oversight has been ensured throughout the investigation process, especially at its initiation stage, in line with the international human rights law standards. This is substantiated by the fact that several of these cases have been closed by the competent courts.

The Government of Pakistan, therefore, underscores that cases brought by ordinary citizens (due to any infringement of their rights protected under the national legal framework) against a handful of journalists cannot be extrapolated to conclude that they represent a pattern of restrictions on freedom of expression of journalists in the country. Necessary legal and administrative avenues are also available for the journalists and human rights defenders for redressal of their complaints, if any.

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