

**NATIONS UNIES**  
**HAUT COMMISSARIAT DES NATIONS UNIES**  
**AUX DROITS DE L'HOMME**

**PROCEDURES SPECIALES DU**  
**CONSEIL DES DROITS DE L'HOMME**

**UNITED NATIONS**  
**OFFICE OF THE UNITED NATIONS**  
**HIGH COMMISSIONER FOR HUMAN RIGHTS**

**SPECIAL PROCEDURES OF THE**  
**HUMAN RIGHTS COUNCIL**

**Mandates of the Special Rapporteur on the right to education; the Special Rapporteur on the rights to freedom of peaceful assembly and of association; the Special Rapporteur on the situation of human rights defenders; the Special Rapporteur on violence against women, its causes and consequences; and the Chair-Rapporteur of the Working Group on the issue of discrimination against women in law and in practice.**

REFERENCE: AL Education (1998-11) Assembly & Association (2010-1) G/SO 214 (107-9) G/SO 214 (89-15)  
PAK 2/2013

22 March 2013

Excellency,

We have the honour to address you in our capacities as Special Rapporteur on the right to education; Special Rapporteur on the rights to freedom of peaceful assembly and of association; Special Rapporteur on the situation of human rights defenders; and Special Rapporteur on violence against women, its causes and consequences; and Chair-Rapporteur of the Working Group on the issue of discrimination against women in law and in practice pursuant to Human Rights Council resolutions 15/23, 17/3, 15/21, 16/5, and 16/7.

In this connection, we would like to bring to the attention of your Excellency's Government information we have received concerning **the forced cessation of activities of the Association of Global Humanists and Ethics (AGHE-Pakistan), a non-governmental organization (NGO) working on several human rights issues in Gilgit-Baltistan, including women rights and girls' education.** The AGHE Pakistan has been registered since 2005 under the Voluntary Social Welfare Agencies (Registration and Control Ordinance 1961 (XLV OF Pakistan), under the number (2005) JC-16 (91).

According to the information received:

On 25 February 2013, the Home Secretary of Gilgit-Baltistan, upon reception of a letter from the Home Department of Gilgit-Baltistan, issued an order to deputy commissioners and police officers of various districts to put a halt to all activities of AGHE-Pakistan. In this letter, the Home Department informed that AGHE-Pakistan was no longer a registered NGO, and that a 'No Objection Certificate' was required from both the economic division and the Government of Gilgit in order for the NGO to continue its activities. AGHE-Pakistan was reportedly never informed of this decision, which is believed to have been taken due to pressure

from religious extremist groups, who previously made threats to members of the NGO to compel them to stop working on women's rights and girls' education.

AGHE-Pakistan has reportedly been the target of a defamation campaign by sectarian and fundamentalist groups which publicly labeled the NGO as a foreign organization which “implements the agenda of Western countries”. Furthermore, it is reported that a number of governmental agencies exerted pressure on the organization to stop its project called “Citizens’ Voice for Effective Legislative Governance”, funded by USAID, as well as some other activities partially funded by USAID and the Aurat Foundation’s Gender Equity Program.

Serious concern is expressed that the closure of AGHE-Pakistan may be a direct attempt to prevent its members from undertaking their legitimate human rights activities in Gilgit-Baltistan, in the exercise of their right to freedom of association.

While we do not wish to prejudge the accuracy of these allegations, we wish to remind your Excellency's Government of article 22 of the International Covenant on Civil and Political Rights, which provides that “[e]veryone shall have the right to freedom of association with others...”.

Furthermore, we would like to refer to Human Rights Council resolution 21/16, and in particular operative paragraph 1 that “reminds States of their obligation to respect and fully protect the rights of all individuals to assemble peacefully and associate freely, online as well as offline, including in the context of elections, and including persons espousing minority or dissenting views or beliefs, human rights defenders, trade unionists and others, including migrants, seeking to exercise or to promote these rights, and to take all necessary measures to ensure that any restrictions on the free exercise of the rights to freedom of peaceful assembly and of association are in accordance with their obligations under international human rights law.”

Similarly, we would also like to refer to the first thematic report Special Rapporteur on the rights to freedom of peaceful assembly and of association (A/HRC/20/27), which states that the “[s]uspension or involuntarily dissolution of associations should be sanctioned by an impartial and independent court in case of a clear and imminent danger resulting in a flagrant violation of domestic laws, in compliance with international human rights law” (para. 100). It further states that “[a]ny associations, both registered or unregistered, should have the right to seek and secure funding and resources from domestic, foreign, and international entities, including individuals, businesses, civil society organizations, Governments and international organizations” (para. 68).

We would also like to refer your Excellency's Government to the fundamental principles set forth in the Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human

Rights and Fundamental Freedoms, and in particular articles 1 and 2 which state that “everyone has the right individually or in association with others, to promote and to strive for the protection and realization of human rights and fundamental freedoms at the national and international levels” and that “each State has a prime responsibility and duty to protect, promote and implement all human rights and fundamental freedoms, inter alia, by adopting such steps as may be necessary to create all conditions necessary in the social, economic, political and other fields, as well as the legal guarantees required to ensure that all persons under its jurisdiction, individually and in association with others, are able to enjoy all those rights and freedoms in practice”.

Furthermore, we would like to bring to the attention of your Excellency’s Government the following provisions of the Declaration:

- article 5 points b) and c) which provide that for the purpose of promoting and protecting human rights and fundamental freedoms, everyone has the right to form, join and participate in non-governmental organizations, associations or groups, and to communicate with non-governmental or intergovernmental organizations; and

- article 13 which stipulates that everyone has the right, individually and in association with others, to solicit, receive and utilize resources for the express purpose of promoting and protecting human rights and fundamental freedom, through peaceful means, in accordance with article 3 of the declaration.

We would also like to bring to your Excellency’s attention article 7 (c) of the International Convention on the Elimination of All forms of Discrimination against Women, which requires States Parties to take all appropriate measures to eliminate discrimination against women in the political and public life of the country and, in particular, shall ensure to women, on equal terms with men, the right: “(c) To participate in non-governmental organizations and associations concerned with the public and political life of the country”.

We would, moreover, like to bring to your Excellency’s attention article 4 (o & p) of the United Nations Declaration on the Elimination of Violence against Women which notes that States should recognize the important role of the women's movement and non-governmental organizations world-wide in raising awareness and alleviating the problem of violence against women, and should, moreover, facilitate and enhance the work of the women's movement and non-governmental organizations and cooperate with them at local, national and regional levels.

We would also like to refer your Excellency's Government to article 26 of the Universal Declaration of Human Rights, as well as article 13 of the International Covenant on Economic, Social and Cultural Rights, ratified by your country in 2004, which consecrate everyone’s right to education. In this context we would like to bring to your Excellency’s attention the 2006 report of the Special Rapporteur on the right to

education which describes the particular challenges faced by women and girls in education (E/CN.4/2006/45).

Since it is our responsibility under the mandates provided to us by the Human Rights Council, to seek to clarify all cases brought to our attention, we would be grateful for your observations on the following matters:

1. Are the facts alleged in the above summary of the case accurate?
2. Please provide the full details of the legal basis for the closure of AGHE-Pakistan, and explain how this measure is compatible with the above-mentioned international human rights norms and standards.
3. Was AGHE-Pakistan able to lodge an appeal before an impartial and independent court? If so, please provide the details of such appeal.
4. Please provide the details, and where available the results, of any investigation, and judicial or other inquiries carried out in relation to a) the aforementioned threats and defamation campaign against AGHE-Pakistan by sectarian and fundamentalist groups, and b) the alleged acts of pressure exerted by a number of government agencies on the same organization to stop its activities funded by foreign donors. If no inquiries have taken place, or if they have been inconclusive, please explain why.
5. Please provide the full details of any prosecutions which will be undertaken in relation to the present case. Will penal, disciplinary or administrative sanctions be imposed on the alleged perpetrators?
6. Please indicate what measures have been taken to ensure that the right of human rights defenders to freedom of association is respected in Pakistan.

We would appreciate a response within sixty days. Your Excellency's Government's response will be made available in a report to the Human Rights Council for its consideration.

While waiting for your response, we urge your Excellency's Government to take all necessary measures to guarantee that the rights and freedoms of the above mentioned persons are respected and, in the event that your investigations support or suggest the above allegations to be correct, the accountability of any person responsible of the alleged violations should be ensured. We also request that your Excellency's Government adopt effective measures to prevent the recurrence of these acts.

Please accept, Excellency, the assurances of our highest consideration.

Kishore Singh  
Special Rapporteur on the right to education

Maina Kiai  
Special Rapporteur on the rights to freedom of peaceful assembly and  
of association

Margaret Sekaggya  
Special Rapporteur on the situation of human rights defenders

Rashida Manjoo  
Special Rapporteur on violence against women, its causes and  
consequences

Kamala Chandrakirana  
Chair-Rapporteur of the Working Group on the issue of discrimination  
against women in law and in practice