

**Mandates of the Working Group on Enforced or Involuntary Disappearances; the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression; and the Special Rapporteur on the situation of human rights defenders**

REFERENCE: UA  
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Excellency,

We have the honour to address you in our capacity as Chair-Rapporteur of the Working Group on Enforced or Involuntary Disappearances; Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression; and Special Rapporteur on the situation of human rights defenders pursuant to Human Rights Council resolutions 27/1, 25/2, and 25/18.

In this connection, we would like to draw the attention of your Excellency's Government to information we have received regarding the situation of [REDACTED]. According to the source, [REDACTED] is a social worker and investigative journalist. She helps the underprivileged to seek social justice and voices concerns on behalf of victims of human rights violations, including victims of enforced disappearances.

According to the information received:

On 19 August 2015, at 7:45 a.m., [REDACTED], daughter of [REDACTED], born on [REDACTED], a national of Pakistan, national ID card No. [REDACTED], resident of Lahore, Pakistan, was allegedly abducted from a bus stop near her usual place of residence in Lahore and taken away in a car to an unknown location.

As a social worker and investigative journalist, [REDACTED] campaigns for the safe return of victims of enforced disappearances and helps their families seek justice. One of the cases [REDACTED] has been following closely is the alleged enforced disappearance of an Indian national, Mr. Hamid Nehal Ahmed Ansari, who was allegedly arrested on 10 November 2012 by Pakistan Security Forces. The Working Group on Enforced or Involuntary Disappearances has transmitted a

number of communications to your Excellency's Government concerning the alleged enforced disappearance of Mr. Ansari. His case remains outstanding before the Working Group as the fate or whereabouts of Mr. Ansari have not been established yet.

██████████ has been supporting Mr. Ansari's family since his alleged disappearance. Acting on behalf of Mr. Ansari's mother, who could not travel to Pakistan, ██████████ attended all the court hearings concerning Mr. Ansari's case as well as meetings with the Commission of Inquiry on Enforced Disappearances in Pakistan. The last meeting ██████████ attended took place in Kohat on 13 August 2015. She was due to give evidence on Mr. Ansari's case at the Joint Intelligence Team Hearing on 24 August 2015. It is believed that the abduction of ██████████ on 19 August 2015, 5 days before the hearing, was intended to prevent her from providing evidence on Mr. Ansari's case.

A First Information Report concerning the abduction of ██████████ has been registered with the police. On 22 August 2015, the vehicle which ██████████ was forced into was found abandoned in Islamabad. Despite this finding, the fate and whereabouts of ██████████ remain unknown.

We express serious concern about physical integrity of ██████████, in particular because that her fate and whereabouts remain unknown. We are further concerned that the abduction of ██████████ may be related to her legitimate exercise of her right to freedom of expression, especially the activities that she conducts as a social worker and investigative journalist. Moreover, concern has been raised that this abduction appears to be an act of reprisal against ██████████ for her work on the issue of enforced disappearance, in particular on the case of Mr. Hamid Nehal Ahmed Ansari.

While we do not wish to prejudge the accuracy of these allegations, we wish to draw your Excellency's Government attention to article 13 (3) and (5) of the Declaration on the Protection of all Persons from Enforced Disappearance, which states that "Steps shall be taken to ensure that all involved in the investigation, including the complainant, counsel, witnesses and those conducting the investigation, are protected against ill-treatment, intimidation or reprisal"; and that "Steps shall be taken to ensure that any ill-treatment, intimidation or reprisal or any other form of interference on the occasion of the lodging of a complaint or during the investigation procedure is appropriately punished.

We would also like to recall that, in its resolution 7/12, the Human Rights Council urged Governments to take steps to provide adequate protection to witnesses of enforced or involuntary disappearances, human rights defenders acting against enforced disappearances and the lawyers and families of disappeared persons against any intimidation or ill-treatment to which they might be subjected. The protection of families of disappeared persons should be carried out regardless of the existence of criminal investigation.

In this connection, we would 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 should like to appeal to your Excellency's Government to seek clarification of the circumstances regarding the case of [REDACTED]. We would like to stress that each Government has the obligation to protect the right to physical and mental integrity of all persons. This right is set forth inter alia in the Universal Declaration of Human Rights (UDHR), the International Covenant on Civil and Political Rights (ICCPR) and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT).

The legitimate exercise of the right to freedom of expression is of central importance in the functioning of a democracy. We would like to appeal to your Excellency's Government to take all necessary measures to guarantee the right to freedom of expression and opinion in Pakistan, in accordance with article 19 of the ICCPR.

The Human Rights Council, in paragraphs 1 and 3 of its Resolution 27/5 has condemned all attacks against journalists, including enforced disappearances and arbitrary detention, and has urged States to promote a safe and enabling environment for journalists to perform their work independently and without undue interference, and to bring perpetrators to justice.

Furthermore, we would also like to refer to 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, also known as the UN Declaration on Human Rights Defenders, in particular articles 1, 2, 6 and 12.

The full texts of the human rights instruments and standards recalled above are available on [www.ohchr.org](http://www.ohchr.org) or can be provided upon request.

In view of the urgency of the matter, we would appreciate a response on the initial steps taken by your Excellency's Government to safeguard the rights of the above-mentioned person(s) in compliance with international instruments.

As 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. Please provide any additional information and any comment you may have on the above mentioned allegations.
2. Please provide information on measures that have been taken to establish the fate and whereabouts of [REDACTED].
3. Please provide the details, and where available the results, of any investigation and inquiry carried out in relation to this case, including efforts made to ensure that perpetrators of the alleged abduction of [REDACTED] are brought to justice.

While awaiting a reply, we urge that all necessary interim measures be taken to halt the alleged violations and prevent their re-occurrence and in the event that the investigations support or suggest the allegations to be correct, to ensure the accountability of any person responsible of the alleged violations.

We are intending to publicly express our concerns in the near future as we are of the view that the information upon which the press release is going to be based is sufficiently reliable to indicate a matter warranting immediate attention. The press release will indicate that we have been in contact with your Excellency's Government's to clarify the issue/s in question.

Your Excellency's Government's response will be made available in a report to be presented to the Human Rights Council for its consideration.

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

Ariel Dulitzky  
Chair-Rapporteur of the Working Group on Enforced or Involuntary  
Disappearances

David Kaye  
Special Rapporteur on the promotion and protection of the right to  
freedom of opinion and expression

Michel Forst  
Special Rapporteur on the situation of human rights defenders