

**Mandates of the Special Rapporteur in the field of cultural rights; the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression; the Special Rapporteur on the situation of human rights defenders; the Special Rapporteur on minority issues and the Special Rapporteur on freedom of religion or belief**

REFERENCE:  
AL PAK 3/2017

28 June 2017

Excellency,

We have the honour to address you in our capacities as Special Rapporteur in the field of cultural rights; Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression; Special Rapporteur on the situation of human rights defenders; Special Rapporteur on minority issues and Special Rapporteur on freedom of religion or belief, pursuant to Human Rights Council resolutions 28/9, 34/18, 25/18, 25/5 and 31/16.

In this connection, we would like to bring to the attention of your Excellency's Government information we have received concerning the alleged harassment and death threats received by Mr. **Rana Tanveer**. These actions appear to be closely related to his activities as a minority rights defender.

Mr. Rana Tanveer is a human rights defender and journalist who has reported extensively on minority rights issues, and blasphemy laws in Pakistan. He works as a journalist for the Express Tribune in Lahore, Punjab, an English-language newspaper that has been targeted on several occasions for its coverage of the problems facing religious minorities. As a chief reporter for that publication, Mr. Tanveer has extensively covered violence and persecution against minorities, especially the Ahmadi minority.

According to the information received:

On 30 May 2017, the house that Mr. Tanveer rented in Garhi Shahu town, Lahore city, was vandalised with a death threat against him painted on the door. The message read: "Qadiani supporter Rana Tanveer is an unbeliever who deserves to be killed." "Qadiani" is a derogatory term for an Ahmadi Muslim. His landlord subsequently asked Mr. Tanveer and his family to leave, and they relocated to a safe house. The next day, an unidentified man on a motorbike was seen loitering in the street where Mr. Tanveer lived and sped away when Mr. Tanveer's former landlord went to confront him.

On 9 June 2017, Mr. Tanveer, was riding his motorcycle to a meeting with family members in Lahore when he was the victim of an assassination attempt. He was deliberately rammed from behind by a car. He survived, however sustained a fracture to his leg and was immediately taken to a hospital where he underwent surgery. He was discharged from the hospital and returned home on 13 June 2017.

On 10 June 2017, a murder attempt First Information Report, the initial documentation of a criminal act, was registered related to the death threats received by Mr. Tanveer as well as the hit and run.

These most recent incidents have allegedly taken place against a background of sustained harassment endured by Mr Tanveer. Mr. Tanveer's landlord reportedly previously received calls from an unknown number asking him about Mr. Tanveer's whereabouts and advising him to evict him and his family, saying that he was an "enemy of Islam." In 2013, Mr. Tanveer also received a threatening letter sent to his office, which called him an apostate and accused him of favouring Ahmadis and Christians. It stated that Mr. Tanveer should seek forgiveness from God and if he continued his work, he would be killed.

Without prejudging the accuracy of the allegations, we remain highly alarmed at the pattern of sustained harassment of Mr. Tanveer, in apparent connection with his journalistic work on minority rights. Furthermore, we are concerned that Pakistan's record of impunity with regards to arresting and convicting individuals carrying out attacks on human rights defenders, in particular following accusations of blasphemy, has emboldened hostile actors and fostered an increasingly violent climate, particularly for those working on religious freedom and minority rights. We reiterate our concerns that the continued existence and use of blasphemy legislation in Pakistan may be used to legitimize attacks through social mobilization and non-state actors against individuals, including journalists, who legitimately exercise their rights to freedom of religion and freedom of expression in the country. We are also equally concerned that religious minorities in Pakistan are facing increasing religious intolerance and incitement to violence.

In connection with the above alleged facts and concerns, please refer to the **Annex on Reference to international human rights law** attached to this letter which cites international human rights instruments and standards relevant to these allegations.

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 therefore be grateful for your observations on the following matters:

1. Please provide any additional information and/or any comment(s) you may have on the above-mentioned allegations.
2. Please provide information regarding any investigations into the death threats and attempted killing of Mr. Tanveer.
3. Please provide information on all measures taken to guarantee the physical and psychological integrity and security of Rana Tanveer as well as of the members of his family.

4. Please provide information on steps taken to guarantee that in all circumstances that all human rights defenders in Pakistan are able to carry out their legitimate human rights activities without fear of reprisals and free of all restrictions.
5. Please provide information about measures taken to repeal the blasphemy laws and to promote the exercise of freedom of expression, freedom of religion and the right to take part in cultural life without discrimination, including in the context of religious minorities and in the context of critical speech.
6. Please provide information about the efforts undertaken by your Excellency's Government in combating the rising religious intolerance and incitement to violence, especially against the religious minorities, in the country.

We would appreciate receiving a response within 60 days.

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(s) responsible for the alleged violations.

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

Karima Bennoune  
Special Rapporteur in the field of cultural rights

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

Rita Izsák-Ndiaye  
Special Rapporteur on minority issues

Ahmed Shaheed

Special Rapporteur on freedom of religion or belief

## **Annex**

### **Reference to international human rights law**

In connection with above alleged facts and concerns we would like to draw the attention of your Excellency's Government to the relevant international norms and standards that are applicable to the issues brought forth by the situation described above.

We therefore refer to articles 3 and 6 (1) of the Universal Declaration of Human Rights (UDHR) as well as the International Covenant on Civil and Political Rights (ICCPR), ratified by Pakistan on 23 June 2010. The ICCPR guarantees the right of every individual to life and security and provide that these rights shall be protected by law and that no one shall be arbitrarily deprived of his life.

We would also like to appeal to your Excellency's Government to ensure the right to freedom of religion or belief in accordance with article 18 of the UDHR and of the ICCPR. Article 26 of the ICCPR establishes that: "All persons are equal before the law and are entitled without any discrimination to the equal protection of the law. In this respect, the law shall prohibit any discrimination and guarantee to all persons equal and effective protection against discrimination on any ground such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status."

Furthermore, we would like to bring to your Excellency's Government attention the international standards regarding the protection of the rights of persons belonging to minorities, in particular to article 27 of the ICCPR and the 1992 Declaration on the Rights of Persons Belonging to national or Ethnic, Religious and Linguistic Minorities, which refers to the obligation of States to protect the existence and the identity of minorities within their territories and to adopt the measures to that end (article 1) as well as to adopt the required measures to ensure that persons belonging to minorities can exercise their human rights without discrimination (article 4).

In this context, we would also like to refer to Human Rights Council resolution 6/37, in which the Council urges States "to take all necessary and appropriate action, in conformity with international standards of human rights, to combat hatred, intolerance and acts of violence, intimidation and coercion motivated by intolerance based on religion or belief, as well as incitement to hostility and violence, with particular regard to religious minorities".

We would also like to bring to your Excellency's Government attention the international standards regarding the protection of the right to take part in cultural life without discrimination, as guaranteed by article 27 of the UDHR and article 15 of the International Covenant on Economic, Social and Cultural Rights (ICESCR), ratified by Pakistan on 17 April 2008. In her recent report to the Human Rights Council, the Special Rapporteur in the field of cultural rights warned of the negative impact on cultural rights of fundamentalist ideologies that seek to stifle the expression of cultural opposition and diversity so as to impose monolithic worldviews (A/HRC/34/56, para. 3). She noted that

Governments must ensure there is a counterweight to fundamentalist and extremist discourses by publicly challenging them and by guaranteeing education aimed at the objectives specified in article 13 (1) ICESR and article 26 (2) UDHR, as interpreted by the Committee in its General Comment No. 13 on the right to education. Such education should strengthen respect for human rights, promote understanding, tolerance and gender equality and be informed by humanism.” (ibid., para. 24).

The Special Rapporteur also stressed that States must respect, protect and fulfil human rights, in particular cultural rights, meaning that they must: (a) stop supporting directly or indirectly fundamentalist ideologies; (b) protect all persons from any act of fundamentalist or extremist groups aimed at coercing them into specific identities, beliefs or practices; and (c) design programmes aimed at creating conditions allowing all people to access, participate in and contribute to cultural life, without discrimination (para. 27). Noting that fundamentalist and extremist assaults on minorities and their cultural sites and practices have become widespread around the world, she also recommended that States develop plans of action that are fully gender sensitive to protect religious, ethnic and sexual minorities and women from extremism and fundamentalism, and implement urgent action policies when such groups are the targets of fundamentalist and extremist threats or violence (A/HRC/34/56, para. 97k).

Furthermore, States should take all necessary measures to respect and ensure the human rights of human rights defenders, including cultural rights defenders and women human rights defenders, challenging fundamentalism and extremism, including by investigating all threats and attacks against them, bringing perpetrators to justice and providing protection where necessary and in agreement with those affected (para.97 (m)).

We moreover appeal to your Excellency’s Government to take all necessary steps to secure the right to freedom of expression as guaranteed by article 19 of the ICCPR. In this respect, we make reference Resolution 12/16 of the Human Rights Council, which calls upon states to investigate effectively threats and acts of violence, and to bring to justice those responsible to combat impunity. With respect to the continued existence of blasphemy laws, we make reference to the report of the previous Special Rapporteur on the right to freedom of expression, calling on States to repeal blasphemy laws, while reiterating the principle that international law protects individuals, not belief-systems (A/67/357).

The repeal of blasphemy laws has also been called for by the Special Rapporteur freedom of religion or belief, and is a recommendation of the Rabat Plan of Action and Human Rights Committee General Comment No. 34. Such repeal is particularly urgent in situations where the laws carry death sentences, such as in Pakistan. Blasphemy laws have been shown to violate freedom of religion and belief. Individuals belonging to religious minority groups are disproportionately charged with “blasphemy”, for practicing their faith.

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, also known as the UN Declaration on Human Rights Defenders. In particular, we would like to refer to articles 1 and 2 of the Declaration which state that everyone has the right 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.

Furthermore, we would like to bring to the attention of your Excellency's Government the following provisions of the UN Declaration on Human Rights Defenders:

- article 6 point a), which provides for the right to know, seek, obtain, receive and hold information about all human rights and fundamental freedoms;
- article 6 points b) and c), which provides for the right to freely publish, impart or disseminate information and knowledge on all human rights and fundamental freedoms, and to study, discuss and hold opinions on the observance of these rights;
- article 12, paragraphs 2 and 3, which provides that the State shall take all necessary measures to ensure the protection of everyone against any violence, threats, retaliation, de facto or de jure adverse discrimination, pressure or any other arbitrary action as a consequence of his or her legitimate exercise of the rights referred to in the Declaration.

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.