

**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; the Special Rapporteur on the situation of human rights defenders; the Special Rapporteur on minority issues and the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment**

REFERENCE:  
AL PAK 12/2020

21 December 2020

Excellency,

We have the honour to address you in our capacities as Working Group on Enforced or Involuntary Disappearances; 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 torture and other cruel, inhuman or degrading treatment or punishment, pursuant to Human Rights Council resolutions 45/3, 43/4, 43/16, 43/8 and 43/20.

In this connection, we would like to bring to the attention of your Excellency's Government information we have received concerning the **continued intimidation, threats of reprisal and harassment, including for cooperation with the UN, faced by human rights defender, Fazal ur Rehman Afridi, president of the Institut de recherche et d'études stratégiques de Khyber (IRESK) and member of the Pashtun Protection Movement (PTM)**. It is reported that these ongoing acts of intimidation, reprisal and harassment also target some of Mr. Afridi's relatives and associates. These concerns follow a series of communications on enforced disappearances, arbitrary detention and torture or ill-treatment against members of the Sindhi, Pashtuni or Baloch minorities in Pakistan as well as against human rights defenders and their family members (UA PAK 6/2019, UA PAK 8/2020 and AL PAK 11/2020). Whilst we appreciate the replies by your Excellency's Government to these communications, we would like to take this opportunity to reiterate the importance of protecting the work of human rights defenders against any acts of reprisal, including the work carried out by Mr. Afridi.

Mr. Fazal ur Rehman Afridi, a journalist, writer and human rights defender, has long been committed to defending human rights in the Khyber Pakhtunkhwa province, in the context of which he has repeatedly denounced continuous patterns of enforced disappearances related to military activities by the Pakistani government. As the founder and Chair-person of the Paris-based non-governmental organisation *l'Institut de recherche et d'études stratégiques de Khyber (IRESK)*, he has publicly engaged with the Human Rights Council in 2019 and 2020, and has submitted information concerning the violation of human rights of Pakistani nationals to various United Nations Special Procedures mandates. In this context, he also submitted numerous cases of alleged enforced disappearances, particularly of members of the Pashtun and other minorities in Khyber Pakhtunkhwa, to the Working Group on Enforced or Involuntary Disappearances. Due to his political activities, Mr. Afridi has been living in political exile in France since 2009.

According to the information received,

The threats against Mr. Afridi by members of the Taliban and agents of the Inter-Services Intelligence (ISI) began in 1997, at the time when Mr. Afridi increasingly advocated for the rights of children and women through his publications and campaigns in local newspapers and human rights-related magazines, where he also demanded the right for women to vote in the 1997 elections in Pakistan. His increasing participation in human rights work and advocacy reportedly led to constant verbal threats by members of the Taliban and agents of the ISI in the following years. In 2005, members of the Taliban allegedly physically assaulted Mr. Afridi for the first time, threatening him with murder unless he immediately ceased his human rights work and stopped all activities in this regard. As a result, Mr. Afridi avoided visits to his home village, where his closest relatives lived, and moved his residence to Islamabad.

On 8 April 2009, while visiting an ill-fallen person from his home village of Jammu Chappar Khel, Jawaki, Former Fata, Kohat District, Khyber Pakhtunkhwa, Mr. Afridi was allegedly abducted from this village by 15 to 20 persons of the Taliban Tariq-Afridi group and taken to a nearby unidentified camp in Gulu Tangai located 5 km away from the incident. The abduction was reportedly supported by the ISI and based on information that the ISI shared with members of the above-mentioned Taliban group. In the camp, Mr. Afridi was forced to witness the execution of other prisoners and to testify how they were buried in mass graves, which affected Mr. Afridi psychologically and led to further detrimental effects to his mental health. According to reports, Mr. Afridi was able to escape from the camp and moved to France, where he applied for and was later granted refugee status, and has been living since then.

No official complaints were reportedly filed regarding Mr. Afridi's abduction due to the Frontier Crime Regulation (FCR) in force in the Federally Administered Tribal Areas (FATA). In addition, any further steps taken in relation to his case were allegedly hindered by the involvement and cooperation of relevant authorities with agents of the ISI. As a result of the abduction, Mr. Afridi's family immediately left their permanent residence in the area where the incident occurred to protect themselves from further intimidation, assault and threats. However, when Mr. Afridi's family returned to their home in 2010, they were allegedly attacked by members of the Taliban and parts of their house were destroyed in retaliation.

Since then, the Pakistani army and its intelligence services reportedly continued to exert increasing pressure on Mr. Afridi to curb his human rights advocacy and journalistic activities and advocacy concerning violations occurring in Khyber Pakhtunkhwa.

More recently, on 16 September 2018, a retired brigadier, a Dutch-based officer of the Pakistani Intelligence Bureau (IB), acting under direct orders from [REDACTED], allegedly contacted Mr. Afridi through a person associated with him living in France. Reportedly, Mr. Afridi could only obtain specific information about the officer on the pretext of a meeting with the retired brigadier general. After agreeing to such a meeting, the person associated with Mr. Afridi disclosed that the IB officer was trying to prevent Mr. Afridi from

continuing his activities related to human rights advocacy and offered funds and donations if Mr. Afridi agreed to his demands. As a result of the Brigadier's disclosure of this information and demands, Mr. Afridi refused to meet the officer in question.

In March 2019, an ISI officer reportedly named ██████, stationed in the District Kohat Cantonment area in Khyber Pakhtunkhwa, allegedly contacted a person associated with Mr. Afridi and two of his relatives in order to prevent Mr. Afridi from engaging in activities that would have been deemed harmful to the State. The activities undertaken to the defence of the rights of Pashtun minority communities were seemingly labelled as “anti-state activity.” Following these orders, persons associated with Mr. Afridi requested him to cease his activities. Mr. Afridi was also informed that the ISI was exerting pressure on him by threatening his relatives, including his brothers with torture, abduction and death. Even representatives of the Pashtun Protection Movement (PTM) were under pressure from the Pakistani army to take steps to curb Mr. Afridi's efforts to document and report cases of enforced disappearances to the United Nations Working Group on Enforced or Involuntary Disappearances.

Threats, harassment and intimidation against Mr. Afridi have recently flared up again as a result of his reporting of cases of missing and forcibly disappeared persons to the relevant bodies and mechanisms of the United Nations. On 18 September 2019 and 11 March 2020, Mr. Afridi delivered statements during the General Debates (item 4) of the 42<sup>nd</sup> and 45<sup>th</sup> sessions of the Human Rights Council calling attention to the situation in the Khyber Pakhtunkhwa region, denouncing grave human rights violations linked to acts of the Pakistani army, and persistent impunity.<sup>1</sup>

On 3 September 2020, the intelligence services subpoenaed a person associated with Mr. Afridi to the ISI office in District Kohat, Pakistan. During the meeting, ISI agents reportedly put pressure on the person associated with Mr. Afridi to obtain a statement from that person in a local court confirming that he would cut off all contact with Mr. Afridi. Under threats of torture, possible abduction and death, the person agreed to make a statement to that effect.

On 4 September 2020, ISI agents ordered a person associated with Mr. Afridi and his brothers to organize a press conference at the local press club in Kohat, Pakistan. On 6 September 2020, the day of the press release, the ISI agent named ██████ called this person to his office and handed him a previously prepared written statement to be read out to the local press club, which this person did immediately. This press release allegedly stated that Mr. Afridi would be in direct contact with foreign intelligence services, including the Central Intelligence Agency (CIA) and Research and Analysis Wing (RAW), that he would actively participate in protests and political activities to harm Pakistan, and that his relatives would agree to the harshest punishment against Mr. Afridi if the latter did not stop his “anti-Pakistan activities.” This incident is reportedly

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<sup>1</sup> <http://webtv.un.org/watch/item4-general-debate-contd-19th-meeting-42nd-regular-session-human-rights-council/6087356747001/?lan=original#player>; <http://webtv.un.org/search/item4-general-debate-contd-28th-meeting-43rd-regular-session-human-rights-council-6140466173001/?term=General%20debate%20on%20%20item%204#player>.

part of a social media propaganda campaign against Mr. Afridi conducted by State officials to publicly vilify him for his continued advocacy and support in reporting cases of human rights violations in Khyber Pakhtunkhwa.

The ongoing threats against Mr. Afridi and his family members give rise to concern that ISI agents would steadily increase the pressure and threats of ill-treatment and torture against his family members if he continued his activities as a human rights defender. Due to this seemingly systematic assault on Mr. Afridi and his relatives, Mr. Afridi reportedly remains increasingly concerned for his safety and life as well as that of his family members in Pakistan.

While we do not wish to prejudge the accuracy of these allegations, we express grave concern as to the above-detailed allegations concerning the continued intimidation, threats of reprisal and harassment faced by human rights defender, Fazal ur Rehman Afridi. Such acts appear to be carried out in retaliation for his human rights work in search for justice and accountability, including by cooperating with the UN, concerning enforced disappearances in Khyber Pakhtunkhwa, particularly towards members of the Pashtun and other minorities. We further raise serious concern for his safety and for the safety of his family members, friends and associates in light of the threats, torture and act of reprisals to which they have allegedly already been subjected. In this context, we fear that the undermining of the work of human rights defenders in Pakistan more broadly through the criminalisation and vilification of human rights activities may lead to the stigmatization of civil society actors working on sensitive issues, including violations of rights of persons belonging to minorities.

We recall that civil society plays a crucial role in the promotion of human rights and that, if the alleged acts were confirmed, they would severely restrict, not to say completely preclude, the legitimate exercise of human rights by human rights defenders and journalists. We are concerned about the repressive measures taken against Mr. Afridi, which appear to be reaction to the voicing of critical opinion about the government or its policies. Notably, we are concerned that such measures could have a serious chilling effect on journalism and critical expressions in Pakistan, thus running contrary to the duty of the State to promote an environment conducive to the exercise of the right to freedom of expression and to the right of the population to be informed.

We wish to reiterate that, if confirmed, the above allegations would be in contravention of articles 7, 9, 10, 14, 19 and 27 of the International Covenant on Civil and Political Rights (ICCPR), which Pakistan ratified on 23 June 2010. We further wish to draw to your Excellency's Government attention to articles 2, 12 and 16 of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT), ratified by Pakistan on 23 June 2010. We also wish to refer to articles 2, 3, 4, 7, 9, 10, 13, 14, and 19 of the Declaration on the Protection of all Persons from Enforced Disappearance adopted by the General Assembly Resolution 47/133 of 18 December 1992.

With regards to the alleged enforced disappearance of Mr. Afridi, we reiterate that enforced disappearance is a serious violation of human rights and may well amount to the crime of torture or other cruel, inhuman or degrading treatment or punishment

unequivocally prohibited under international law.<sup>2</sup> We note that if elements indicating a potential or indirect involvement of the State or of any of its officials, whether through support or acquiescence, have been documented, the cases must be investigated as enforced disappearances (A/HRC/45/13/Add.3 para. 90). We also reiterate that States have the duty to take all necessary steps to prevent and terminate acts of disappearance committed by non-state actors under their jurisdiction as per article 3 of the Declaration. If the reported circumstance is confirmed that Mr. Afridi was forced to witness the killing of fellow detainees during his detention, this may amount to torture or other cruel, inhuman or degrading treatment. We further recall that threats of violence or death threats, including threats against family members and associates, as an act of humiliation or intimidation, may meet the threshold of severe mental suffering, which may be as destructive as physical pain.<sup>3</sup>

We further express concerns at the difficulties to take necessary steps to investigate the enforced disappearance of Mr. Afridi and the acts of retaliation against his family and associates. In this regard, we would like to draw your Excellency's Government attention to the obligation to carry out thorough, prompt, independent and impartial investigations, which shall be conducted *ex officio* if so required. We also highlight that a failure to investigate may in itself constitute a violation of the right to an effective remedy as enshrined in article 2(3) of the ICCPR. In addition, all victims, including family members of those disappeared whose suffering is rooted in the primary violation against the disappeared person, have the right to know the truth and to reparation, including compensation (A/HRC/16/48, para. 39).

We are further concerned that the alleged acts of intimidation may be aimed at discrediting Mr. Afridi's work, in an effort to stop his reporting on regional and national human rights affairs as well as his advocacy for ending impunity for practices of enforced disappearance in Pakistan. Consequently, should these allegations be confirmed, they would constitute acts of intimidation and reprisals initiated against the legitimate activities related to human rights advocacy. We recall that reprisals, retaliation, or other negative repercussions for having submitted a complaint in relation to alleged human rights violations are absolutely forbidden.<sup>4</sup>

We further express our serious concern at the targeting of Mr. Afridi's advocacy for and defence of rights of persons belonging to minorities, such as the Pashtun minority, which have been increasingly affected by practices of enforced disappearances in Khyber Pakhtunkhwa and the existing impunity for these offenses. We recall that these acts and the alleged intimidation of members of Mr. Afridi's community severely infringe upon the international standards regarding the protection of the rights of persons belonging to minorities.

Finally, we remain concerned about the broader failure of the Government of Pakistan to take decisive and effective action with a view to terminate the reported pattern of targeting human rights defenders, including those working on minority

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<sup>2</sup> Communication No. 449/1991, *Mojica v Dominican Republic*, Views adopted by the Human Rights Committee on 15 July 1994, paragraph. 5.7.

<sup>3</sup> Communication No. 74/1980 *Estrella v Uruguay*, Views adopted by the Human Rights Committee on 29 March 1983, paras 1.6, 10; A/56/156, paragraph 8.

<sup>4</sup> Communication No. 533/1993, *Elahie v Trinidad and Tobago*, Views adopted by the Human Rights Committee on 28 July 1997, paragraph. 8.3.

issues, with enforced disappearance which, to this day, continues in the country with impunity.

**We therefore urge your Excellency's Government to take action, without delay, in order to immediately cease acts of reprisals, to provide adequate safeguards in order to protect Mr. Rehman Afridi's relatives and associates from any threats to their life and well-being or intimidation in the future and to carry out credible investigations into pending cases of reprisals.**

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.

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 the factual and legal grounds for the alleged abduction on 8 April 2009 and subsequent enforced disappearance of Mr. Afridi and explain how these measures were compatible with the international human rights obligations of Pakistan. Please also provide details explaining the failure to prevent acts of disappearances carried out by non-state actors.
3. Please provide details and, where available, results of any investigation and judicial or other inquiries which may have been carried out, or which are foreseen to bring the perpetrators to justice and provision of remedies, concerning the alleged enforced disappearance of Mr. Afridi. If no such enquiries have been conducted, please explain why, and how this is compatible with the international human rights obligations of Pakistan.
4. Please provide information as to whether any investigation and judicial or other form of inquiry has been undertaken in relation to the above-detailed allegations of threats, including death threats, made by members of ISI against Mr. Afridi, his family and associates, as well as the serious allegations of torture. If no inquiries have taken place, or if they have proved inconclusive, please explain why, as well as how this is compatible with the international human rights obligations of your Excellency's Government.
5. Please also indicate what measures have been taken to ensure that human rights defenders, including those working on the rights of minorities, journalists and other civil society actors, are able to carry out their legitimate work in a safe and enabling environment in Pakistan, without fear of threats or acts of intimidation and harassment of any sort.

We would appreciate receiving a response within 60 days. Passed this delay, this communication and any response received from your Excellency's Government will be made public via the communications reporting [website](#). They will also subsequently be made available in the usual report to be presented to the Human Rights Council.

In light of the allegations of reprisals for cooperation with the United Nations on human rights, we reserve the right to share this communication – and any response received from your Excellency's Government - with other UN bodies or representatives addressing this issue, in particular the senior United Nations official designated by the Secretary General to lead the efforts within the United Nations system to address intimidation and reprisals for cooperation with the UN in the field of human rights.

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.

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

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## **Annex**

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

In connection with above alleged facts and concerns, we would like to refer your Excellency's Government to articles 7, 9, 10, 14, 19 and 27 the International Covenant on Civil and Political Rights (ICCPR), which Pakistan ratified on 23 June 2010 and articles 2, 12 and 16 of the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment ratified on 23 June 2010.

In addition to a potential violation of the right to life, the enforced disappearance of individuals for exercising their freedom of expression is contrary to article 19 of the Covenant. States parties should put in place effective measures to protect against attacks aimed at silencing those exercising their right to freedom of expression. Under no circumstance, can an attack on a person, because of the exercise of his or her freedom of opinion or expression, including such forms of attack as arbitrary arrest, torture, threats to life and killing, be compatible with article 19. All such attacks should be vigorously investigated in a timely fashion, and the perpetrators prosecuted (General Comment no. 34 on the right to freedom of opinion and expression, para 23). In this regard, impunity in cases of attacks against journalists not only restrict the freedom of expression of the victim, but creates a chilling effect more generally on the exercise of the freedom of expression and on investigative journalism.

The imposition of punitive measures of journalists critical of the government or of public figures is incompatible with Article 19 of the ICCPR (*id.* paras. 38 and 42), and any person whose rights or freedoms are violated shall have effective remedy. States Parties must ensure that individuals have accessible and effective remedies to vindicate those rights, according to article 2.3 ICCPR. In this regard, the Human Rights Committee, in its General Comment No. 31 has interpreted that a failure by a State Party to investigate allegations of violations could in and of itself give rise to a separate breach of the Covenant, and that cessation of an ongoing violation is an essential element of the right to an effective remedy (paragraph 15). We would like to recall that with failure to investigate, failure to bring to justice perpetrators of such violations could in and of itself, give rise to a separate breach of the Covenant (*ibid.* para 18)

The obligation to respect freedoms of opinion and expression is binding on every State party as a whole, and that it requires States parties to ensure that persons are protected from any acts by private persons or entities that would impair the enjoyment of the freedoms of opinion and expression to the extent that these Covenant rights are amenable to application between private persons or entities (*ibid.* 8)

We would further like to refer to the United Nations Declaration on the Protection of All Persons from Enforced Disappearance which establishes the prohibition to practice, permit or tolerate enforced disappearances (Article 2); the obligation to take effective legislative, administrative, judicial or other measures to prevent and terminate acts of enforced disappearance (Article 3); the obligation to criminalize enforced disappearances as autonomous offense in domestic legislation (Article 4) and that no circumstances whatsoever, whether a threat of war, a state of war, internal political instability or any other public emergency, may be invoked to justify enforced disappearances (Article 7). In addition, the Declaration stipulates the right to be held in an officially recognized place of detention, in conformity with



national law and to be brought before a judicial authority promptly after detention in order to challenge the legality of the detention (Article 10). In particular, in its paragraphs 3 and 5 of article 13, the Declaration provides that States shall ensure that all persons involved in the investigation of cases of enforced disappearance, including the complainant, counsel and witnesses, 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. Ultimately, the Declaration establishes the obligation to bring perpetrators of enforced disappearances before competent civil authorities for the purpose of prosecution and trial (Article 14) and that victims of acts of enforced disappearance and their family shall obtain redress and shall have the right to adequate compensation, including the means for as complete rehabilitation as possible (Article 19).

In this regard we highlight that enforced disappearance constitutes a unique and integrated series of acts and omissions representing a grave threat to life and that states are required to conduct an effective and speedy inquiry to establish the fate and whereabouts of persons who may have been subject to enforced disappearance and introduce prompt and effective procedures to investigate cases of disappearances thoroughly, by independent and impartial bodies (Human Rights Committee, General Comment 36). The obligation to carry out prompt, thorough and impartial investigations shall be conducted *ex officio* if required.<sup>5</sup> To this purpose, adequate complaint mechanisms should be made available, which should be independent and committed to carrying out impartial and prompt investigations into all allegations of enforced disappearances (A/HRC/45/13/Add.3 paragraph 11). The requirements of effectiveness, independence, promptness and expeditiousness of investigations and the involvement of the relatives also apply to disappearances committed by non-state actors.<sup>6</sup> We further recall that all victims of enforced disappearances, including relatives of those disappeared whose suffering is rooted in the primary violation against the disappeared person, and anyone who has suffered harm as a direct result of an enforced disappearance, have the right to know the truth and to reparation, including compensation (A/HRC/16/48, para. 39).<sup>7</sup> The failure to respect the relatives right to know the truth on the fate and whereabouts of the disappeared person causes anguish and sorrow which may amount to torture (A/HRC/16/48, General Comment, para 4).

We 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. Adequate safeguards against reprisals are of outmost importance considering the reported lack of access to appropriate means of communication in many cases of reprisals which should in no circumstances be restricted or withdrawn and should be exercised freely (A/HRC/21/18 paragraphs 14 and 17). We also reiterate that the State has the primary responsibility

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<sup>5</sup> Inter-American Court of Human Rights, *Velásquez Rodríguez v. Honduras*, Case No. 7920, Judgment, 29 July 1988, para. 177.

<sup>6</sup> *Tsechoyev v. Russia* ECtHR (2011), para. 145; *The Pueblo Bello Massacre v. Colombia* IACtHR (2006), paras. 142-146.

<sup>7</sup> *María del Carmen Almeida de Quinteros et al. v. Uruguay* HRC (1983), para. 14.

of ensuring that persons who cooperate with the United Nations and its mechanisms in the field of human rights are protected and to ensure that all alleged acts of reprisals and intimidation are promptly and impartially investigated, perpetrators brought to justice and victims provided with appropriate remedies. We stress that public officials who make public statements which place human rights defenders at risk should be held accountable (A/HRC/45/36, paragraph 135).

In its 2013 country visit report (A/HRC/22/45/Add.2) and its 2016 follow-up report to the mission to Pakistan (A/HRC/33/51/Add.7) the Working Group on Enforced or Involuntary Disappearances observed the widespread practice of and impunity for enforced disappearances and the elevated number of cases of threats, reprisals and harassment against families of disappeared persons and human rights defenders who work on issues related to enforced disappearance in Pakistan. We emphasize that impunity can have a multiplying effect, which causes additional suffering and anguish to victims of enforced disappearances and their families. Recalling paragraph 3 and 5 of Article 13 of the Declaration on the Protection of All Persons from Enforced Disappearance, we urge your Excellency's Government to take immediate steps to intensify your actions in order to prevent and address all cases of harassment, acts of intimidation and reprisals and to take proactive measures to guarantee the safety of the family members of disappeared persons and human rights defenders.

In this context, the Working Group Enforced or Involuntary Disappearances recommended the establishment of a constitutional, legal and regulatory framework, in particular in relation to the issue of the deprivation of liberty, be in full conformity with international standards in order to ensure that it does not give license to secretly detain or disappear anyone, or that it does not lead in practice to circumstances where disappearances could be perpetrated and that reparations are provided for the victims of such acts ((A/HRC/22/45/Add.2) paras. 91 and 99).

Furthermore, the Special Rapporteur on Torture and other cruel, inhuman or degrading treatment or punishment is of the view that, under human rights law, "psychological torture" should be interpreted to include all methods, techniques and circumstances which are intended or designed to purposefully inflict severe mental pain or suffering without using the conduit or effect of severe physical pain or suffering. All those methods of torture are subject to the same prohibition and give rise to the same legal obligations, regardless of whether the inflicted pain or suffering is of a "physical" or "mental" character, or a combination thereof. (A/HRC/43/49).

Regarding allegations indicating that reported violations could be an act of intimidation and reprisals against those who cooperate with the UN in the field of human rights, we would like to refer to Human Rights Council resolutions 12/2, 24/24, 36/21, and 42/28 reaffirming the right of everyone, individually or in association with other, to unhindered access to and communication with international bodies, in particular the United Nations, its representatives and mechanisms in the field of human rights. In these resolutions, the Human Rights Council urges States to refrain from all acts of intimidation or reprisals, to take all appropriate measures to prevent the occurrence of such acts. This includes the adoption and implementation of specific legislation and policies in order to promote a safe and enabling environment for engagement with the United Nations on human rights, and to effectively protect those

who cooperate with the United Nations. The Council also urges States to ensure accountability for reprisals by providing access to remedies for victims and preventing any recurrence. It calls on States to combat impunity by conducting prompt, impartial and independent investigations, pursuing accountability, and publicly condemning all such acts.

We would also like to refer 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, which state that everyone has the right to promote and to strive for the protection and realization of human rights and that each State has a prime responsibility and duty to protect, promote and implement all human rights. We would further like to refer to articles 6(b), which states that everyone has the right, individually or in association with others, to freely publish, impart or disseminate to others views, information and knowledge on all human rights and fundamental freedoms; 6(c), which states that everyone has the right, individually or in association with others, to study, discuss, form and hold opinions on the observance in law and in practice of all human rights and fundamental freedoms and to draw public attention to these matters; and 9(3)(a), which states that everyone has the right individually and in association with others, *inter alia*, to complain about the policies and actions of individual officials or governmental bodies with regard to violations of human rights and fundamental freedoms, by petition or other appropriate means.

Finally, we would like to bring to your Excellency's Government's attention the 1992 UN 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 and in full equality before the law (article 4).