

**Mandates of the Special Rapporteur on the situation of human rights defenders and the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression**

Ref.: AL PAK 12/2023  
(Please use this reference in your reply)

6 December 2023

Excellency,

We have the honour to address you in our capacities as Special Rapporteur on the situation of human rights defenders and Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, pursuant to Human Rights Council resolutions 52/4 and 52/9.

In this connection, we would like to bring to the attention of your Excellency's Government information we have received concerning the alleged threats against Mr. Lateef Johar Baloch and his family, which appear to be in relation to his human rights work.

**Mr. Lateef Johar Baloch** is a human rights defender who advocates against human rights violations in Balochistan, specifically those committed by the Pakistani military, including enforced disappearances, as previously raised with your Excellency's Government, and the exploitation of natural resources in the province and the detrimental impact on the local population. In 2016, Mr. Johar Baloch was granted asylum in Canada, where he continues to carry out his human rights activities, including the production of educational books and translations into Balochi of international human rights mechanisms, to allow families of the disappeared and victims of other violations to report these allegations to the relevant international human rights bodies. Mr. Johar Baloch also writes about human rights issues in Balochistan for media outlets and collaborates with NGOs to highlight these concerns. In 2014, Mr. Lateef Johar Baloch went on hunger strike for 46 days, to protest the issue of enforced disappearance in Pakistan. It was in the months following this, that Mr. Lateef Johar Baloch left Pakistan due to concerns for his well-being.

According to the information received:

In September 2015, Mr. Lateef Johar Baloch sought asylum in Canada as a result of the threats he was facing in relation to his peaceful human rights activities and was granted asylum in January 2016. In the years since, Mr. Lateef Johar Baloch's family who remain in Balochistan have reportedly been subjected to repeated acts of harassment and singular attacks by the military.

In November 2015, the military reportedly conducted a search on the home of Mr. Lateef Johar Baloch's parents in the village of Karki Kad, for which no reason was provided. Mr. Lateef Johar Baloch's mother and sister were the only ones in the house at the time. During the search, the family's passports, IDs and other documents were taken by the military, as well as 2 Lakh PKR cash, as well as other valuable personal belongings. Following the search, the military reportedly set the house on fire and it burned to the ground. The home of Mr. Lateef Johar Baloch's brother was also reportedly set on fire by the military, but the fire was extinguished before the house was destroyed. The

personal identity documents, cash and other items seized during the search have to date not been returned to Mr. Lateef Johar Baloch's family.

On 8 August 2017, the military conducted a search on the homes of Mr. Lateef Johar Baloch's parents and those of his siblings. The military reportedly forced Mr. Lateef Johar Baloch's family members to leave, and occupied their houses for four days, forcing them to seek refuge in the house of an uncle in the village of Chiggardi in Páho.

In March 2020, Mr. Lateef Johar Baloch's brother began to be summoned by the military to the nearby checkpoint. He initially refused to comply with the summonses, due to fear of what may happen to him, but eventually obliged. Upon arriving at the checkpoint, Mr. Lateef Johar Baloch's brother was reportedly detained and subjected to treatment amounting to torture, including being hung upside down and as a result repeatedly losing consciousness. The military were reportedly attempting to extract information as to Mr. Lateef Johar Baloch's whereabouts, despite the fact he had been residing in Canada at that point for a number of years. Mr. Lateef Johar Baloch's brother was also reportedly questioned about the family's financial matters. That night, the elder brother of Mr. Lateef Johar Baloch was reportedly called by the military to their younger brother, who reportedly could hardly move as a result of the treatment he had been subjected to. Following this incident, he had a number of medical check-ups at the hospital in Awaran but continued to suffer from mobility issues for a number of weeks.

On a prior occasion in the same year, Mr. Lateef Johar Baloch's brother had been arrested in Awaran town whilst accompanying his mother for a medical appointment. He was reportedly taken to a military camp and allegedly arbitrarily detained for a number of hours, during which time he was questioned about Mr. Lateef Johar Baloch's human rights work. Upon releasing him later that day, the military reportedly threatened that if Mr. Lateef Johar Baloch did not cease his advocacy work, there would be dire consequences for his family. As a result of these incidents in 2020, Mr. Lateef Johar Baloch's brother left Karki Kad and relocated to another city.

Since early 2021, Mr. Lateef Johar Baloch's father has been summoned by the military every week. Mr. Lateef Johar Baloch's father was reportedly required to sit outside the nearby military checkpoint from 9 a.m. – 4 p.m. every Monday, until April 2023, which is the last time he was summoned, before the military base was relocated. During these summonses, the military are reported to have told him to coerce Mr. Lateef Johar Baloch to return to Pakistan and that he would be provided "with security".

On 14 October 2023, the military reportedly cordoned off Karki Kad and following this, conducted new searches on the homes of Mr. Lateef Johar Baloch's parents and siblings. No other houses in the village were subjected to such search. This new search was reportedly carried out by the Frontier Corps (FC) of the military, who reportedly provided no explanation as to its necessity.

Without wishing to prejudge the accuracy of the allegations, we wish to express grave concerns at the reported pattern of harassment and intimidation against

the family of Mr. Lateef Johar Baloch, spanning a number of years, which we have reason to believe is in connection with his legitimate human rights activities. We are concerned that the allegations of arbitrary detention and treatment amounting to torture of his brother; the routinized harassment and intimidation of his father; and the raids on his family's home with seemingly no legal basis, are cumulatively and individually aimed at intimidating and deterring Mr. Lateef Johar Baloch from carrying out his human rights activities. Our concern is compounded by the fact that Mr. Lateef Johar Baloch is no longer residing in the jurisdiction of your Excellency's Government, notably due to the reported harassment and intimidation he was subjected to in connection with his human rights activities.

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/or comment(s) you may have on the above-mentioned allegations.
2. Please provide information and the legal basis for the reported search and subsequent burning down of the home of Mr. Lateef Johar Baloch's parents on 11 November 2015, as well as the searches on their home and the home of Mr. Lateef Johar Baloch's siblings on 8 August 2017 and 14 October 2023, respectively.
3. Please provide detailed information regarding the alleged arbitrary detention and treatment amounting to torture of Mr. Lateef Johar Baloch's brother in March 2020.
4. Please provide detailed information and legal basis regarding the summoning of Mr. Lateef Johar Baloch's father to the military checkpoint between early 2021 and April 2023.

We would appreciate receiving a response within 60 days. Past 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.

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.

Mary Lawlor  
Special Rapporteur on the situation of human rights defenders

Irene Khan  
Special Rapporteur on the promotion and protection of the right to freedom of opinion  
and expression

## **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 articles 7, 9, 17 and 19 of the International Covenant on Civil and Political Rights (ICCPR), which Pakistan ratified on 23 June 2010, which guarantee the rights to be free from torture or cruel, inhuman or degrading treatment, to liberty and security of person, to privacy, and to freedom of expression.

We also wish to refer to article 2(1) of the ICCPR that establishes a general duty to ensure the rights recognised by the ICCPR. This article has been interpreted to have established a State duty to take positive measures to protect the right to life. The Human Rights Committee clarified that "States parties have a positive obligation to ensure the protection of individuals against violations of Covenant rights, which may be committed not only by its agents, but also by private persons or entities" in the case of *Peiris v. Sri Lanka* (CCPR /C/103/D/1862/2009).

We would like to remind your Excellency's Government that according to article 9(1) of the ICCPR, no one shall be subjected to arbitrary arrest or detention, and no one shall be deprived of his or her liberty except on grounds established by law and following legal procedures. Moreover, article 9.2 stipulates that the person must be informed, at the moment of the arrest, about the reasons for such deprivation of liberty; in addition, the information about the charges against the person should be provided without delay.

We would like to further remind your Excellency's Government that the right to freedom of expression protects the right to seek, receive and impart information and ideas of all kinds regardless of frontiers. Any limitation to the right to freedom of expression must meet the criteria established by the Covenant, in particular under article 19(3). Any restrictions must be provided by law, they must be necessary and proportionate and must be applied only for those purposes for which they were prescribed and must be directly related to the specific need on which they are predicated.

In connection with the above alleged facts and concerns 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 Recognised 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 realisation 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 wish to draw your Excellency's Government's specific attention to the following articles of the UN Declaration on Human Rights Defenders:

- Article 6(a) which recalls the right to know, seek, obtain, receive and hold information about all human rights and fundamental freedoms.
- Article 9(2) which provides for redress and due process for all violations of human rights.
- Article 9(5) which recalls the obligation of the state to conduct a prompt and impartial investigation into any violation of human rights which has occurred in its territory or under its jurisdiction.
- Article 12(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.