

Mandates of the Special Rapporteur on freedom of religion or belief; the Working Group on Arbitrary Detention; the Special Rapporteur on extrajudicial, summary or arbitrary executions; the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression; the Special Rapporteur on minority issues; the Special Rapporteur on violence against women and girls, its causes and consequences and the Working Group on discrimination against women and girls

Ref.: AL PAK 4/2025
(Please use this reference in your reply)

26 March 2025

Excellency,

We have the honour to address you in our capacities as Special Rapporteur on freedom of religion or belief; Working Group on Arbitrary Detention; Special Rapporteur on extrajudicial, summary or arbitrary executions; Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression; Special Rapporteur on minority issues; Special Rapporteur on violence against women and girls, its causes and consequences and Working Group on discrimination against women and girls, pursuant to Human Rights Council resolutions 49/5, 51/8, 53/4, 52/9, 52/5, 50/7 and 50/18.

In this connection, we would like to bring to the attention of your Excellency's Government information we have received concerning allegations of **continued attacks, including killings, other forms of harassment, and hate speech against members of the religion or belief minorities in Pakistan, along with attacks on their places of worship and burial, which appear to be related to the legitimate exercise of their right to freedom of religion or belief.**

Concerns about attacks against, and criminalization of, Ahmadis and Christians in Pakistan (and the role of blasphemy accusations therein) have been the subject of previous communications from Special Procedures mandate holders, including PAK 3/2024, PAK 1/2024, PAK 4/2023, PAK 3/2023, PAK 2/2022, PAK 10/2021, PAK 2/2023, PAK 10/2020, PAK 6/2020, and PAK 5/2018. While taking note of your Excellency's Government's responses in relation to PAK 3/2024, and PAK 5/2018, we regret that replies have not been received to the other communications and remain concerned in light of the recent developments detailed below.

According to the information received:

Killings of Mr. Ameer Hassan and Mr. Tayab Ahmed

On 13 December 2024, Mr. Ameer Hassan, a 40-year-old Ahmadi, was killed while returning home from morning prayers in Mirpurkhas District, Sindh. Mr. Hassan was reportedly shot by two unknown armed assailants who opened fire upon him after identifying him, killing him instantly. Mr. Hassan leaves behind a wife and five children, one of whom witnessed his killing first-hand.

Mr. Hassan's killing was perpetrated shortly after that of Mr. Tayab Ahmad on 5 December 2024. Mr. Ahmad was attacked while visiting his brother by an assailant believed to be in his thirties who called both men by the derogatory

term, 'Qadianis', and struck Mr. Ahmad with an axe, killing him instantly. The shop belonging to Mr. Ahmad's brother in Rawalpindi where the attack took place, had reportedly been attacked in the days leading up to the killing. Both brothers had previously been subjected to threats and harassment based on their Ahmadi faith in Rajanpur and Rawalpindi.

Additional reported killings of persons belonging to religion or belief minorities

Reports of extrajudicial killings of Ahmadi individuals exist in other parts of the country, such as in Saad Ullah Pur and Lala Musa where three individuals were allegedly executed by unknown perpetrators in July 2024. Furthermore, violence is also targeted at other religion or belief minorities, in particular Shia Muslims and Christians.

On 21 November 2024, gunmen reportedly attacked vehicle convoys in the Kurram region, killing at least 38 people, the majority of whom were Shia Muslims. This attack is linked to ongoing sectarian violence in the region between Sunni and Shia communities. It allegedly led to the closure of the Parachinar highway for several weeks, restricting the freedom of movement of the population and restricting access to fuel, food, medication, and healthcare services.

Blasphemy charges

Criminalisation of religion or belief minorities on the basis of manifestations or expressions of their faith has reportedly continued. On 29 January 2025, a case was registered against Mrs. Bushra Abid under section 298-C of the Pakistan Penal Code (PPC) at Kot Ladhra police station, Punjab, for preaching or propagating the Ahmadiyya faith. She was reportedly placed under arrest after responding to a neighbour's request to suggest a Quran teacher and offering religious instruction for children. In accordance with the relevant provisions of the PPC, this prosecution, if successful, could result in a three-year prison sentence and a fine.

It is reported that some 25 women are currently detained in prisons across Punjab province, with three on death row, on charges including under article 295-A, 295-B and 295-C of the PPC. Women charged with blasphemy often experience significant gendered harms, including those resulting from their abandonment by family members, and subsequent inability to post bail.

In a recent update on the case of Mr. Anwar Kenneth, who is currently held in detention on blasphemy charges having been sentenced to death in 2002 (see Urgent Appeal PAK 1/2024), it is reported that he was transferred from Faisalabad Prison to Lahore's Kot Lakhpat Jail on 14 November 2024 where he is undergoing medical treatment and an evaluation of his mental condition. During a family visit, his relatives shared that Mr. Kenneth made incoherent remarks about his Christian faith and Islam and are deeply concerned about his mental stability. Reportedly, the Supreme Court is awaiting final medical tests and a detailed report on Mr. Kenneth's mental health before issuing its verdict. In a report dated 31 December 2024, the Medical Officer at Lahore Central Jail

confirmed that Mr. Kenneth suffers from “Bipolar Affective Disorder.”

At least five other Christians, including women and a person with disabilities, have been reportedly arrested and detained on blasphemy charges in Punjab since August 2024.

These detentions take place in a context of a dramatic increase in persons detained on blasphemy charges over the past two years, as [reported](#) by the National Commission for Human Rights, Pakistan (NCHRP) in its recently published investigation into blasphemy cases. The investigation highlighted, inter alia, “systemic flaws and serious violations of fundamental rights, as well as disturbing patterns of entrapment and injustice” following its visits to major prisons and interviews with inmates held on blasphemy charges. The NCHRP made a number of recommendations, including a call to conduct an objective and impartial assessment into the reason behind the exponential rise in blasphemy cases.

Closure, attacks and desecration of Ahmadiyya community homes, mosques, and graves

On 14 February 2025, police in Karachi allegedly sealed the Bait-ul-Nasir Ahmadi place of Worship in Malir Colony, owing to pressure from protesters belonging to Tehreek e Labbaik Pakistan (TLP). It is similarly reported that, following pressure from members of TLP, police in Lahore have begun preparations to destroy the minarets of the Ahmadiyya Mosque in Sultanpura. On 26 January 2025, clerics allegedly gathered outside the Mosque chanting anti-Ahmadi slogans and demanding that the police destroy the minarets and close the mosque. The police reportedly assured the anti-Ahmadi protesters that the matter would be resolved within a day and, on the same day, covered the minarets of the mosque with sheets.

On 16 January 2025, a historic Mosque in Daska built by Sir Chaudhry Muhammad Zafarullah Khan, a member of the Ahmadiyya Muslim community, was demolished. It is alleged that the Assistant Commissioner of Daska, along with other government officials, and police arrived at the place of worship, with the electricity to the area being deliberately cut off and used a crane to destroy the minarets and raze the Mosque. Worshippers present at the time objected, warning officials that they were overstepping legal boundaries, but were reportedly met with threats from the crane operator who stated that they would be crushed if they did not move. The act was accompanied by chants of anti-Ahmadiyya slogans from onlookers, reportedly including from members of TLP, and was caught on video later and spread on social media.

Further attacks on Ahmadiyya places of worship have been reported in the late months of 2024. On 26 November 2024, the Ahmadiyya Mosque at Chak No. 27, JB Faisalabad, was attacked by approximately 20 individuals who arrived by motorcycle, forced entry into the Mosque, and damaged the dome, mihrab, and minaret. When confronted by community members, the assailants reportedly claimed to be law enforcement officials.

It is similarly alleged that on 22 November 2024, a group of approximately 150 individuals, including members of TLP along with other private individuals, attacked the Mosque and private homes of members of the Ahmadiyya community in Kot Karam Bakhsh, Sialkot. The group reportedly attempted to damage the minarets and mihrab of the Mosque, in the presence of the police, who later themselves demolished both. Furthermore, the police have reportedly filed cases against 11 named and 20 unnamed Ahmadis, who attempted to protect their place of worship, under sections 148 and 149 the PPC.

In several other recent incidents, it has been alleged that law enforcement officers played a direct role in the desecration of graves and destruction of Ahmadiyya places of worship. In the early hours of 11 October 2024, Police allegedly desecrated the minarets of the Ahmadiyya Mosque at Ghakkar Mandi, Gujranwala, along with damaging the Mosque's security cameras and confiscating the mobile phone of the Imam and his wife. On the same night, police from Ahmad Nagar Chatta Police Station demolished the minarets of the Ahmadiyya Mosque in Mohlunke, Gujranwala. It is further alleged that previously, on 4 October 2024, police in plain clothes demolished the minarets of an Ahmadiyya Mosque at Jahanian, Khanewal, and that in the early hours of 2 October 2024, parts of a historic Ahmadiyya Mosque in Sheikhpura district were dismantled by a large group including police officers.

Desecration of tombstones of Ahmadiyya community members have also been reported. On the 24 January 2025, 33 further tombstones were damaged in the Ahmadiyya cemetery in Farooq Abad, Sheikhpura District, and further targeted wall-chalking was carried out including the phrase 'Qadianis are infidels.' Three days previously, on 21 January 2025, the tombstones of seven Ahmadis were damaged in the same cemetery and wall-chalking was carried out on private residences with anti-Ahmadiyya slogans. It has been reported that the lack of action taken by authorities against the perpetrators after the first attack may have emboldened individuals to continue their vandalism of Ahmadi homes and graves.

On 29 September 2024, police from Budiana, acting on the basis of a complaint against named members of the Ahmadiyya community, reportedly destroyed 47 of the 48 Ahmadiyya tombstones in Dugri Gumna Sialkot, and detained community members who filmed the destruction. It has further been reported that on 22 September 2024, a large group including members of the TLP, among others, laid siege to the Ahmadiyya Mosque at Islamia Park, Lahore.

On 7 March 2025, it is alleged that police in Surjani Town, Karachi, arrested six Ahmadis and charged over 25 for holding congregational prayers in their mosque. The arrests followed pressure from a hostile mob, led by TLP activists, who surrounded the site and demanded action. Instead of protecting the worshippers, authorities yielded to the demands of the TLP activists, detained the Ahmadis, and sealed the mosque.

On 8 March 2025, it is alleged that authorities demolished the minarets of an Ahmadiyya mosque in Chak No. 166 Murad, Bahawalnagar District, under pressure from an aggressive mob led by TLP activists. The incident began when

a local resident was killed following a dispute between two groups unaffiliated with the Ahmadi community. Despite the complete absence of Ahmadi involvement in the death, the TLP exploited the situation to incite violence against the Ahmadi community, resulting in the demolition of religious structures, looting of Ahmadi homes, and fabricated criminal charges against community members.

Potential incitement to violence against the Ahmadiyya community

The aforementioned attacks take place in a reported context of widespread and continuing stigmatization and calls for violence against the Ahmadiyya community from groups including TLP. In this regard, it is alleged that, in October, the group issued a threat to the Chiniot district administration that they would attack Ahmadiyya places of worship if ‘Islamic Rituals’ were not removed from them by the authorities. A senior cleric of the group has also reportedly threatened on numerous occasions to ‘destroy the mother’ of Ahmadis, as well as to destroy the Ahmadiyya graveyard in Rabwah, one of the most important holy sites for the community. incidents have been documented of armed TLP members searching for members of the Ahmadiyya community in Khanpur in September 2024.

Without prejudicing the accuracy of these allegations, we would like to express our serious concern at the killings of Mr. Ameer Hassan and Mr. Tayab Ahmed in the context of increasing hatred, intolerance, and acts of violence against the Ahmadiyya Community and their places of worship in Pakistan, which on the basis of information received would constitute violations of articles 2(1) (non-discrimination), 6 (right to life), 7 (prohibition of torture and other cruel, inhuman, or degrading treatment or punishment), 18 (freedom of thought, conscience and religion), and 27 (rights of minorities) of the International Covenant on Civil and Political Rights (ICCPR), which was ratified by Pakistan on 23 June 2010.

Moreover, we are deeply concerned about the alleged arrests and deprivation of liberty of members of the Ahmadiyya community, including Mrs. Bushra Abid, and other religion or belief minority groups on blasphemy charges, which appear to be discriminatory on the basis of the legitimate manifestation of their religious beliefs.

We continue to reiterate our concerns about the situation of Mr. Anwar Kenneth.

We would like to recall to your Excellency’s Government the provisions of articles 2 and 5(a) of the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), which should be understood in the framework of general recommendations No. 28 and No. 33, which recognize religion as one of the grounds on which intersecting or compounded discrimination. Such intersecting factors create additional barriers for women from these groups, particularly in accessing justice. We would also like to refer to the report of the Special Rapporteur on violence against women and girls, its causes and consequences, on violence against women and girls, nationality laws and statelessness (A/78/256), where she recalls that Ahmadis, including women and girls, are considered non-Muslims under Pakistani law and are required to sign a declaration stating that they are not Muslim and that they belong to Qadiani or Ahmadi religion. Such forced declarations may constitute a violation of the

freedom of religion, as they contradict the personal beliefs of members of the Ahmadiyyah community, who consider themselves Muslims, even though the Constitution of Pakistan does not recognize them as such.

In the conclusions of its second periodic review of Pakistan, published on 2 December 2024, the Human Rights Committee, which oversees implementation of the ICCPR, expressed its continuing concern regarding the blasphemy laws, including sections 295 and 298 of the PPC, which carry severe penalties, including the mandatory death penalty (section 295(C)), and which disproportionately affect religion or belief minorities. It expressed further concern in relation to the high number of blasphemy cases based on false accusations, and by violence against those accused of blasphemy. Additional concerns were raised concerning the discrimination against persons belonging to ethnic and religious minorities, as well as against women and girls, which remains unaddressed by the domestic legal framework (CCPR/C/PAK/CO/A paras 10 and 14). Furthermore, the Human Rights Council raised concerns as to the conditions of detention and treatment of persons deprived of their liberty, with a particular concern around reports of abuse of women prisoners (para 30).

We wish to recall to your Excellency's Government that the Human Rights Committee has recommended taking concrete actions to ensure the adoption of comprehensive legislation prohibiting discrimination, including intersectional (para. 11(a)) and to ensure that conditions of detention fully comply with international human rights standards, including the Bangkok rules (para. 31).

We would like to remind your Excellency's Government that the Human Rights Committee recommended the repeal of all blasphemy laws, or their amendment in compliance with the strict requirements of the Covenant; and to ensure that all those who incite or engage in violence against others based on allegations of blasphemy, as well as those who falsely accuse others of blasphemy, are brought to justice and duly punished (paras 46-47).

We further express concern over the desecration and vandalism of Ahmadiyya places of worship and cemeteries which bear a significant material and cultural importance for the religious community. We wish to express our particular concern about the alleged involvement of government authorities and lack of accountability related to these attacks. We reiterate deep concerns already expressed in PAK 2/2024 that the prevailing environment of impunity will lead to further attacks on the Ahmadiyya community.

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 on the status of investigations into the killings of Mr. Ameer Hassan and Mr. Tayab Ahmed, in particular on the extent to which investigation(s) comply with international standards such as the Minnesota Protocol on the Investigation of Potentially Unlawful Death (2016) including exploring the potential role played by religious discrimination as a motivation for their killing, and steps taken to ensure accountability and effective remedies for the killings and to prevent similar incidents in the future.
3. Please provide information regarding the alleged registration of a case against Mrs. Bushra Abid for the recommendation of a religious teacher, its basis in Pakistani law, and the compatibility thereof with Pakistan's obligations under articles 2, 18, and 27 of the ICCPR, particularly in light of the recommendations of the Human Rights Committee in its concluding observations of 2 December 2024, as well as its compatibility with the Convention on the Elimination of all Forms of Discrimination against Women, particularly articles 2 and 5. Please provide information as well on the measures taken to protect the rights of women in prison for similar charges and for blasphemy, including under the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules).
4. Please provide information on the current state of health of Mr. Anwar Kenneth, and the extent to which the prosecution of Mr. Kenneth, particularly in light of his state of health, is compatible with Pakistan's international human rights obligations, including under the ICCPR.
5. Please provide information on the steps taken to prevent, investigate and prosecute acts of destruction and vandalism of Ahmadiyya places of worship, tombstones and private residences, including the alleged involvement of government authorities and the number of persons prosecuted and, if convicted, their sentences.
6. Please indicate if your Excellency's Government has taken any broader measures to implement recommendations by international human rights mechanisms for the repeal or amendment of blasphemy laws and the removal of the mandatory death penalty for blasphemy related charges, in accordance with the recommendations of the Human Rights Committee and in light of Pakistan's international obligations under the ICCPR.
7. Please provide information on measures taken by your Excellency's Government to counteract public calls for violence and discrimination against the Ahmadiyya community in Pakistan in accordance with international standards, including article 20 of the ICCPR.

This communication and any response received from your Excellency's Government will be made public via the communications reporting [website](#) within 60 days. 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.

We would also like to inform your Excellency's Government that after having transmitted the information contained in the present communication to the Government, the Working Group on Arbitrary Detention may also transmit the case through its regular procedure in order to render an opinion on whether the deprivation of liberty was arbitrary or not. The present communication in no way prejudices any opinion the Working Group may render. The Government is required to respond separately to the present communication and the regular procedure.

We may publicly express our concerns in the near future as, in our view, the information upon which the press release will be based is sufficiently reliable to indicate a matter warranting immediate attention. We also believe that the wider public should be alerted to the potential implications of the above-mentioned allegations. The press release will indicate that we have been in contact with your Excellency's Government's to clarify the issue/s in question.

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

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Reem Alsalem
Special Rapporteur on violence against women and girls, its causes and consequences

Laura Nyirinkindi
Chair-Rapporteur of the Working Group on discrimination against women and girls

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 the International Covenant on Civil and Political Rights (ICCPR), ratified by Pakistan on 23 June 2010. Article 18 of the ICCPR states that that "Everyone shall have the right to freedom of thought, conscience and religion. These rights shall include freedom [...] either individual or in community with others and in public or private, to manifest his religion or belief in worship, observance, practice and teaching." The Human Rights Committee has noted in general comment No. 22, paragraph 3, that article 18 of the ICCPR "Does not permit any limitations whatsoever on the freedom of thought and conscience [...]". Thus, peaceful expression of one's thought and conscience cannot be restricted unless such restrictions have fulfilled stringent tests of legality, proportionality and necessity.

Article 6(1) of the ICCPR, which guarantees the right of every individual to life and security and provides that these rights shall be protected by law and that no one shall be arbitrarily deprived of his life. The Human Rights Committee in its general comment 36, referred to States parties' obligations under article 6 to include taking measures to prevent and punish deprivation of life by criminal acts. A failure to investigate and bring perpetrators of such violations to justice could in and of itself give rise to a separate breach of the ICCPR. Investigations and prosecutions of potentially unlawful deprivations of life should be undertaken in accordance with relevant international standards, including the Minnesota Protocol on the Investigation of Potentially Unlawful Death. General comment 36 further highlights that "investigations must be aimed at ensuring that those responsible are brought to justice, at promoting accountability and preventing impunity, at avoiding denial of justice and at drawing necessary lessons for revising practices and policies with a view to avoiding repeated violations....States parties are also under an obligation to take steps to prevent the occurrence of similar violations in the future."

Furthermore, in the same general comment, the Human Rights Committee clarified that the "most serious crimes" to which the death penalty may be applied must be read restrictively, and appertain only to crimes of extreme gravity involving intentional killing. The Human Rights Committee also clarified, in this connection, that the death penalty may not under any circumstances be applied as a sanction against conduct, the very criminalisation of which violates the Covenant, including apostasy. Moreover, it highlighted that mandatory death sentences are arbitrary in nature, given that they leave domestic courts with no discretion as to whether to designate the offence as a crime warranting the death penalty, or to issue the death sentence in the personal circumstances of the offender.

In this connection, we refer to the Human Rights Committee's concluding observations on the second periodic report of Pakistan (CCPR/C/PAK/CO/2) and in particular, its recommendations that your Excellency's Government should increase its efforts to prevent and investigate promptly, thoroughly, independently and impartially all acts of discrimination and violence and instances of hate speech and incitement to public violence against religious minorities, and ensure that perpetrators, including central, regional and local authorities, law enforcement officials and those inciting to

violence by loudspeaker from mosques or otherwise, are prosecuted and, if convicted, sanctioned with penalties commensurate with the gravity of the offence, and that victims are provided with reparation. In the same concluding observations, the Human Rights Committee recommended that your Excellency's Government take effective steps to prevent physical attacks and the destruction of places of worship and cemeteries, and provide adequate reparations to all affected communities, including through the reconstruction of places of worship and the provision of compensation to all persons affected; and repeal all blasphemy laws or amend them in compliance with the strict requirements of the Covenant.

Article 2 of the Convention on the Elimination of All Discrimination against Women, acceded by Pakistan on 2 March 1996, obliges States parties to take measures to eliminate discrimination against women by any persons, organizations or enterprises. As clarified in general recommendation No. 28 on the core obligations of States parties under article 2 of CEDAW, States must recognize intersecting forms of discrimination and their compounded negative impact on the women concerned. Such intersectional factors include religion or belief, status, age, class, and caste. Furthermore, article 5 of CEDAW requires States parties to eliminate all forms of gender stereotypes. In particular, article 5(a) obliges States parties to modify social and cultural patterns of conduct to eliminate "prejudices and customary and all other practices which are based on the idea of the inferiority or the superiority of either of the sexes or on stereotyped roles for men and women".

The Committee on the Elimination of Discrimination against Women's conclusions and recommendations on Pakistan's fifth periodic report (CEDAW/C/PAK/CO/5) expressed its concerns about persistent discriminatory stereotypes regarding the roles and responsibilities of women and men in both the family and society. These stereotypes, exacerbated by religious divisions, continue to perpetuate women's subordination to men. Considering this concern, the Committee recommended that Pakistan adopt a comprehensive strategy to eliminate discriminatory stereotypes and harmful practices. The Committee also noted with concern and recommended to address the persistence of discriminatory stereotypes faced by women and girls belonging to ethnic minority groups, in particular Ahmadi, Christian, Dalit, Hindu, Roma, scheduled caste, Sheedi and Sikh women and girls, who are particularly vulnerable to abduction and forced conversion (CEDAW/C/PAK/CO/5, paras. 47-48).

The Working Group on Discrimination against Women and Girls, in its 2019 thematic report (A/HRC/41/33) noted that women are deprived of their liberty, mostly arbitrarily and in a discriminatory fashion, in violation of human rights law and standards. Not only the causes but also the consequences of deprivation of liberty are gendered, and women and girls experience their confinement in specific ways and are often at risk of heightened gender-based discrimination, stigma and violence. We also wish to refer to the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules) (resolution 65/229, annex), complementary to the Nelson Mandela Rules, which provide that effective measures shall be taken to ensure that women prisoners' rights and dignity are respected and address specific needs of women in detention.

The Committee on the Elimination of Racial Discrimination (ICERD Committee), in its combined 24th to 26th review of Pakistan's implementation of the

International Convention on the Elimination of Racial Discrimination (ICERD), ratified by Pakistan on 21 September 1966, calls for the repeal or reform of blasphemy laws to ensure that the crimes under sections 295, 295-A, 295-B and 295-C are not broad and vague and are in accordance with international human rights standards, taking all measures necessary to prevent violent attacks and reprisals against persons accused of blasphemy; and the investigation of all violent attacks and reprisals against persons accused of blasphemy, ensuring that perpetrators are prosecuted, convicted and appropriately sentenced (CERD/C/PAK/CO/24-26, para 16). In the same concluding observations, we remind your Excellency's government that the ICERD Committee recommended that your Excellency's Government, inter alia, take steps to prevent the desecration and destruction of places of worship, and provide adequate reparations to affected communities, including guarantees of non-repetition, satisfaction and rehabilitation, in addition to restitution and compensation, such as the reconstruction of places of worship or compensation for the families affected (CERD/C/PAK/24-26, para 24).

Article 19 of the ICCPR guarantees the right to freedom of opinion and the right to freedom of expression, which includes the right "to seek, receive and impart information and ideas of all kinds, either orally, in writing or in print, in the form of art, or through any other media". This right applies online as well as offline and includes not only the exchange of information that is favourable, but also that which may criticize, shock, or offend. Article 19 of the ICCPR guarantees the right to freedom of opinion and the right to freedom of expression, which includes the right "to seek, receive and impart information and ideas of all kinds, either orally, in writing or in print, in the form of art, or through any other media". This right applies online as well as offline, protects the freedom of the press as one of its core elements and includes not only the exchange of information that is favourable, but also that which may criticize, shock, or offend.

In its general comment No. 34, the Human Rights Committee stated that States parties to the ICCPR are required to guarantee the right to freedom of expression, including "political discourse, commentary on one's own and on public affairs, canvassing, discussion of human rights, journalism, cultural and artistic expression, teaching, and religious discourse" (CCPR/C/GC/34, para. 11). The Committee further asserts that there is a duty of States to put in place effective measures to protect against attacks aimed at silencing those exercising their right to freedom of expression (para. 23).

The right to freedom of expression is subject to some carefully crafted restrictions, including under articles 19(3), 20 and 4 ICCPR.

Article 19(3) states that this right may be subject to certain restrictions, but these shall only be such that (i) are provided by law; (ii) pursue one of the legitimate aims for restriction, which are the respect of the rights or reputations of others and the protection of national security or of public order (*ordre public*), or of public health or morals; and (iii) are necessary and proportionate for those objectives. The State has the burden of proof to demonstrate that any such restrictions are compatible with the Covenant and restrictions must be "the least intrusive instrument among those which might achieve their protective function". (CCPR/C/GC/34, para. 34).

Article 20(2) ICCPR prescribes that any advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence shall be prohibited by law. This prohibition has a high threshold as it requires the fulfilment of three components: a) advocacy of hatred; b) advocacy which constitutes incitement and c) incitement likely to result in discrimination, hostility or violence (A/67/357, para. 43).

In the Rabat Plan of Action on the prohibition of advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence, key terms are defined as follows: “Hatred” and “hostility” refer to intense and irrational emotions of opprobrium, enmity and detestation towards the target group; the term “advocacy” is to be understood as requiring an intention to promote hatred publicly towards the target group; and the term “incitement” refers to statements about national, racial or religious groups which create an imminent risk of discrimination, hostility or violence against persons belonging to those groups (A/HRC/22/17/Add.4, appendix, footnote 5).

In the Rabat Plan of Action, a total of six factors were identified to determine the severity necessary to criminalize incitement (ibid, para. 29):

- (a) The “social and political context prevalent at the time the speech was made and disseminated”.
- (b) The status of the speaker, “specifically the individual’s or organization’s standing in the context of the audience to whom the speech is directed”.
- (c) Intent, meaning that “negligence and recklessness are not sufficient for an offence under article 20 of the Covenant”, which provides that mere distribution or circulation does not amount to advocacy or incitement.
- (d) Content and form of the speech, in particular “the degree to which the speech was provocative and direct, as well as the form, style, nature of arguments deployed”.
- (e) Extent or reach of the speech act, such as the “magnitude and size of its audience”, including whether it was “a single leaflet or broadcast in the mainstream media or via the Internet, the frequency, the quantity and the extent of the communications, whether the audience had the means to act on the incitement”.
- (f) Its likelihood, including imminence, meaning that “some degree of risk of harm must be identified”, including through the determination (by courts, as suggested in the Plan of Action) of a “reasonable probability that the speech would succeed in inciting actual action against the target group”.

The report on hate speech by the Special Rapporteur on freedom of expression noted that “the promotion and protection of the right to freedom of expression must, however, go hand in hand with efforts to combat intolerance, discrimination and incitement to hatred” and called on States to carefully construe and apply their laws to

combat hate speech, in line with international standards ([A/67/357](#), paras. 75 and 76). Further, in her report on online hate speech, the Special Rapporteur on freedom of opinion and expression urged States to “actively consider and deploy good governance measures, including those recommended in Human Rights Council resolution 16/18 and the Rabat Plan of Action, to tackle hate speech” ([A/74/486](#), para. 57 (c)).

In this context, while not every advocacy of hatred reaches the threshold for prohibition under article 20(2) of the ICCPR, States must still prohibit, and take active measures to counter, advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence and that inhibits the practical and effective enjoyment of human rights, including freedom from discrimination based on religion or belief. Since 2011, the Human Rights Council as well as the United Nations General Assembly have adopted annual resolutions on combating intolerance, negative stereotyping, stigmatization, discrimination, incitement to violence, and violence against people based on religion or belief.

In the Special Rapporteur on freedom of religion or belief’s report to the Human Rights Council in 2024 ([A/HRC/55/47](#)), she underlined the importance of counter-speech by public officials in the fight against hate speech, the importance of which is recognized in Human Rights Council resolution 16/18: “Countering expressions of hatred should not be left to the targeted community alone. State officials, diplomats, public figures, including parliamentarians, along with religious authorities and civil society organizations, have a vital role to play in ensuring that advocates of hatred are met with a robust response, bolstering assurance among religious or belief minorities that their standing as free and equal citizens will be defended” (para 39).

The same report also highlights several measures that have been set out in relevant Human Rights Council resolutions as necessary to counter the root causes of hatred based on religion or belief. These include combating religious denigration and stereotyping, for example through awareness-raising and training, effective measures to ensure that public officials do not discriminate on the basis of religion or belief in the conduct of their duties, and promoting meaningful representation and participation of individuals, regardless of their religions or beliefs, in all sectors of society.

Article 27 of the ICCPR guarantees minorities, inter alia, the right to profess and practice their own religion. In relation to your Excellency’s obligations pursuant to article 27 of the ICCPR, we further recall general comment No. 23: Rights of Minorities (art. 27), adopted by the Human Rights Committee on 8 April 1994. In particular, we bring attention to the conclusion that, in protecting the rights of minorities covered under article 27, “a State party is under an obligation to ensure that the existence and the exercise of this right are protected against their denial or violation” and thus “[p]ositive measures of protection are, therefore, required not only against the acts of the State party itself, whether through its legislative, judicial or administrative authorities, but also against the acts of other persons within the State party” (CCPR/C/21/Rev.1/Add.5, para 6.1).

Article 2(1) of the 1981 United Nations Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief ([A/RES/36/55](#)) which states that “[n]o one shall be subject to discrimination by any State, institution, group of persons, or person on grounds of religion or other belief.” In article 4(1), the

Declaration states that: “All States shall take effective measures to prevent and eliminate discrimination on the grounds of religion or belief in the recognition, exercise and enjoyment of human rights and fundamental freedoms [...]”. Its article 4(2) upholds that: “All States shall make all efforts to enact or rescind legislation where necessary to prohibit any such discrimination, and to take all appropriate measures to combat intolerance on the grounds of religion or other beliefs in this matter.”

Moreover, article 1 of the 1992 Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities establishes the obligation of States to protect the existence and identity of religious minorities within their territories and to adopt the appropriate measures to achieve this end, while article 2 recognizes that persons belonging to religious minorities have the right to profess and practice their own religion without discrimination and article 4 requires States to ensure that persons belonging to minorities, including religious minorities, may exercise their human rights without discrimination and in full equality before the law.

In this connection, in Pakistan’s most recent evaluation under the Universal Periodic Review mechanism on 30 January 2023, it expressed its support for recommendations concerning freedom of religion or belief, including the recommendation made by Norway to implement legal and practical measures to protect all religious minorities or those with differing beliefs from discrimination and persecution and ensure that religiously motivated violence or incitement to it is subject to investigation and prosecution; the recommendation made by Czechia to ensure that the implementation of the “blasphemy laws” is not misused to settle personal scores or on account of ulterior motives, or to prevent the performance of religious rites; and the recommendation made by Sierra Leone to ensure that draft national policies guarantee the practice of minority faiths, including of Ahmadiyya Muslims (A/HRC/53/13).

Finally, article 9(1) of the ICCPR states that: “Everyone has the right to liberty and security of person. No one shall be subjected to arbitrary arrest or detention. No one shall be deprived of his liberty except on such grounds and in accordance with such procedures as are established by law.” In its general comment No. 35, paragraph 17, the Human Rights Committee has asserted that “[a]rrest or detention as punishment for the legitimate exercise of the rights as guaranteed by the Covenant is arbitrary, including [...] freedom of religion.” The Human Rights Committee further clarified that security detention not in contemplation of prosecution on a criminal charge presents severe risks of arbitrary detention. If in this regard a “present, direct, and imperative threat is invoked to justify the detention of persons considered to present such a threat, the burden of proof lies on States parties to show that the individual poses such a threat and that it cannot be addressed by alternative measures” (paragraph 15). Further, the Working Group on Arbitrary Detention has reiterated that a deprivation of liberty is arbitrary when it constitutes a violation of international law on the grounds of discrimination based on birth, national, ethnic or social origin, language, religion, economic condition, political or other opinion, gender, sexual orientation, disability, or any other status, that aims towards or can result in ignoring the equality of human beings.