

INTRODUCTION

1. Scholars at Risk (SAR) is an international network of higher education institutions and individuals dedicated to protecting threatened scholars, preventing attacks on higher education communities, and promoting academic freedom worldwide. SAR has Special Consultative Status with ECOSOC (2013), and welcomes the opportunity provided by the Office of the High Commissioner on Human Rights to comment on conditions relating to academic freedom and attacks on higher education communities in Pakistan.
2. SAR monitors and analyzes attacks on academic freedom around the world. During this UPR period (June 2017-July 2022), SAR received reports describing overall pressures, as well as discreet attacks on higher education throughout Pakistan.
3. This submission focuses on Pakistan's compliance with its obligations under international law to promote and protect academic freedom within its territory. This review cycle saw significant sectarian and political attacks on campus, including deadly violence against scholars and students; arrests of individual scholars – especially for blasphemy and national security-related offenses – in retaliation for the nonviolent exercise of the right to free expression; and numerous arrests and physical attacks by government authorities against nonviolent, on-campus protesters.

LEGAL STANDARDS

4. Pakistan is party to several applicable international human rights instruments including the International Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Social, Economic and Cultural Rights (ICESCR).
5. Academic freedom is independently and interdependently grounded in rights to freedom of opinion and expression, the right to education, and the right to the benefits of science, as articulated, respectively, in Article 19 of the International Covenant on Civil and Political Rights (ICCPR), Article 13 of the International Covenant on Economic, Social and Cultural Rights (ICESCR), and Article 15(3) of the ICESCR.
6. As the Committee on Economic, Social and Cultural Rights (CESCR) has affirmed, “the right to education can only be enjoyed if accompanied by the academic freedom of staff and students.”¹
7. In a recent report on academic freedom, the United Nations special rapporteur on the promotion and protection of freedom of opinion and expression adopted and reaffirmed the standards articulated by the CESCR, stating:

[A]academic freedom should be understood to include the freedom of individuals, as members of academic communities (e.g., faculty, students, staff, scholars, administrators and community participants) or in their own pursuits, to conduct activities involving the discovery and transmission of information and ideas, and to do so with the full protection of human rights law.²

8. The special rapporteur explicitly recognized that academic freedom involves protections for institutional autonomy and self-governance: “States are under a positive obligation to create a general enabling environment for seeking, receiving and imparting information and ideas. Institutional protection and autonomy are a part of that enabling environment.”³ The special rapporteur further observed that peaceful student protests may be a form of protected academic expression.⁴
9. Finally, the special rapporteur stated, “[i]t is crucial to note that it is not consistent with article 19 to restrict expression [including academic expression] on grounds of ‘blasphemy’ or wounding of religious feelings. Article 20 does not provide grounds for such restrictions, and blasphemy laws can never, on their own, satisfy the requirements of article 19 (3).”⁵
10. Pakistan’s Constitution does not explicitly protect academic freedom, but it does provide protections for freedoms of expression (Article 19), assembly (Article 16), and association (Article 17). However, these protections are subject to broad restrictions. For example, freedom of expression may be limited “in the interest of the glory of Islam or the integrity, security or defence of Pakistan . . . public order, decency or morality, or in relation to contempt of court, commission of or incitement to an offence”⁶ Relatedly, Penal Code Section 295-C, Pakistan’s blasphemy law, carries the death sentence or life imprisonment for anyone who “by words, either spoken or written, or by visible representation or by any imputation, innuendo, or insinuation, directly or indirectly, defiles the sacred name of the Holy Prophet Muhammad (peace be upon him).”⁷

DISCUSSION

Sectarian and/or Political Violence on Campus

11. Sectarian and political violence were significant problems during this review cycle, sometimes becoming deadly.
 12. On April 13, 2017,⁸ Mashal Khan, a student at **Abdul Wali Khan University** was attacked by a mob who surrounded him and two others in a university dormitory, then stripped Khan of his clothing, shot him at close range, and beat him to death with sticks. Khan had been an outspoken proponent of democratic values, and had been openly critical of the university’s leadership. In response, unidentified individuals reportedly spread false rumors that he had posted blasphemous content online, prompting the attack against him. Authorities indicted 57 people following the incident – mostly students and university employees. A court later sentenced the man who confessed to shooting Khan to death by hanging; five more individuals received life sentences for their role in the attack, and another 25 were given four years in prison. Another 26 were acquitted.⁹
 13. On December 1, 2017, a group of armed militants entered the campus of the **Agricultural Training Institute (ATI)** wearing burqas and suicide vests; after attacking security personnel, they proceeded to a dormitory, where they opened fire on students. Police arrived, and a firefight lasting several hours ensued. Ultimately twelve people including six students were killed. Another 37 were injured. Tehreek-e-Taliban Pakistan,
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a Taliban-related organization later claimed responsibility for the attack.¹⁰

14. On September 9, 2018, a group of approximately 20 students at **Bahauddin Zakaria University** (BZU) attacked PhD student and assistant professor Muhammad Tauseef, beating him with clubs and leaving him hospitalized. The attackers were members of the People's Students Federation, a rival group to the Baloch Students Organization, to which Tauseef belonged. The groups had been clashing violently for several days, causing as many as eight students to be hospitalized the week before.¹¹
15. On March 20, 2019, Khateeb Hussein, a student at **Government Sadiq Egerton College**, reportedly killed English professor Khalid Hameed after a heated debate in which Hussein demanded that a student welcome reception Hameed was organizing be cancelled because it was a mixed-gender event, and in Hussein's view, violated Islamic law. Hameed refused. The next morning, Hussein went to Hameed's office and stabbed him in the head and stomach; he died later that day. In January 2021, an anti-terrorism court sentenced Hussein to death for the murder; an accomplice was also sentenced to seven years in prison.¹²
16. On December 12, 2019, student groups clashed violently during a student expo at the **International Islamic University Islamabad**. The clashes were connected to a dispute between Islami Jamiat e Talaba (IJT), the student wing of the conservative, Islamic Jamaat-e-Islami party, and Islamians United Students Front (IUSF) over IJT's apparent decision to allow women to participate in one day of the event. During the final hours of the event, violence, including gunfire, erupted between the groups, leaving one student dead and at least sixteen injured. Police eventually arrested at least sixteen people in connection with the violence.¹³
17. On February 28, 2020, on the campus of the **University of Punjab**, members of rival student groups – the socially conservative, Islamist Islami Jamiat Tulaba (IJT), and members of the Pakhtun Student Council, which represents ethnic minority Pashtun students – reportedly clashed violently, injuring at least eight students and ten security guards. It is not clear what sparked the violence.¹⁴
18. On August 26, 2021, also at the **University of Punjab**, members of the Progressive Students Collective (PSC) were attacked as they tried to hold a “study circle” about the rise of the Taliban in Afghanistan. According to a PSC spokesperson, IJT members arrived and began verbally harassing participants in an effort to prevent the event; they then reportedly began beating the participants with sticks and rods. The IJT denied that its members were involved.¹⁵

Imprisonment and Prosecution

19. Pakistan's blasphemy law remains a source of significant concern, particularly given the public and ideally free nature of classroom expression, and the ease with which an allegation of blasphemy can give way to a criminal charge. In addition, national security related laws have been used to retaliate against academic expression, including both individual expression and public protest (see next section).
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20. Scholars at Risk notes with grave concern the ongoing case of **Junaid Hafeez**, a matter raised in the previous UPR cycle. Hafeez, a comparative literature scholar and former lecturer at **Bahauddin Zakariya University** in Pakistan, was arrested and charged under Section 295-C in 2013 after a group of students accused him of making blasphemous statements on social media. Despite an absence of evidence, he was detained for more than six years – much of that time in solitary confinement – while he waited for his case to be adjudicated. The proceedings were marked by consistent procedural irregularities, prolonged delays, threats to defense counsel, and the murder of one of Hafeez’s attorneys. On December 21, 2019, Hafeez was sentenced to death. A group of UN experts called the verdict a “travesty of justice” and urged Pakistan’s courts to hear his appeal promptly, overturn the sentence and acquit him. As of this submission, he remains detained, and his lawyers continue to appeal his verdict and advocate his release.¹⁶
21. On December 2, 2019, Pakistani authorities arrested Akhtar Khan, a political science lecturer at **Abdul Wali Khan University**, in connection with social media activity. While the factual bases of the charges are unclear, Khan had recently expressed concern online about human rights violations against ethnic Pashtuns, and had supported a student protest movement advocating for them. A number of people affiliated with the movement were arrested. Khan was reportedly charged with violating sections 10 and 11 of Pakistan’s “Prevention of Electronic Crimes Act,” which, respectively, relate to “cyber terrorism” and “hate speech.”¹⁷
22. On June 10, 2020, authorities arrested **Shah Abdul Latif University** professor Sajid Soomro on blasphemy charges. He was reportedly accused of “spreading religious hatred,” and “speaking against Islamic seminaries,” among other things. Although the specific factual allegations were unclear, Soomro suggested publicly, immediately before his arrest, that he was wanted for a post on the mystical form of Islam known as Sufism. Soomro was reportedly released on bail on June 16, 2020. As of this submission, the status of his case is unclear.¹⁸

Suppression of On-Campus/Student Protest

23. Retaliation against students and professors engaged in on- and off-campus protest – especially in the form of violence, wrongful detention, and arrest – remains a major concern.
 24. On October 23, 2017, on the campus of **Quaid-i-Azam University**, university officials summoned police to campus in response to nonviolent student demonstrations challenging corruption, and demanding improvements in student life and the reinstatement of students who had been expelled for a protest earlier that year. Police violently attacked the protesters and arrested at least 70 for “disrupting campus activities.” The students were released two days later.¹⁹
 25. On January 15, 2018, police reportedly arrested about two dozen teachers from the **Federal Urdu University of Arts, Science and Technology** as they engaged in a peaceful on-campus protest over the reinstatement of a vice chancellor who had been
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removed from office for plagiarism.²⁰

26. On October 4, 2018, students protesting a fee hike were marching between university buildings on the campus of the **University of Peshawar** when police violently prevented them from proceeding, beating several students with batons. At least 15 students were injured; another 15 were arrested for organizing an unlawful assembly.²¹
 27. On February 9, 2019, police reportedly arrested **Forman Christian College** assistant professor and human rights activist Ammar Ali Jan, after he led a protest in response to the apparent police killing of Dr. Arman Loni, a Pashtun leader and professor. Authorities accused Jan of sedition and raided his house.²² Two years later, he reported that he was served with an arrest warrant in connection with the same case.²³ In response to the charges, his university demoted him from assistant professor to visiting faculty, prompting his resignation.²⁴
 28. On November 17, 2019, more than two weeks after a nonviolent protest on the campus of the **University of Sindh in Jamshoro**, police reportedly charged 17 nonviolent student protesters with sedition-related charges including criminal conspiracy, condemnation of the creation of the state, assaulting a top government official and attempting to provoke a riot. The factual bases for the charges were that students had carried flags, recited anti-Pakistan slogans, and written messages in chalk; students claimed they had been protesting a water shortage in their hostel.²⁵
 29. On November 29, 2019 students in 38 cities throughout Pakistan engaged in a “Student Solidarity March,” demanding students’ right to form unions and an end to violence on campus, sexual harassment, and the privatization of universities. The following day, police arrested **Punjab University** graduate Alamgir Wazir, an organizer of one of the protests. The next day, warrants were issued for the arrests of Wazir’s co-organizers, including scholar-activist Ammar Ali Jan, and Iqbal Lala, the father of Mashal Khan. Wazir reportedly remained in detention until April 10, 2020.²⁶ Authorities also charged roughly 300 student protesters at **Punjab University** and the **University of Balochistan** with criminal sedition, based on allegations they had chanted slogans opposing “state institutions.”²⁷
 30. On June 24, 2020, about 300 students in Balochistan gathered to peacefully protest the lack of internet access needed to participate in online classes, which had been made necessary by COVID-19-related shutdowns. In response, police reportedly beat and arrested as many as 80 students, detaining them overnight.²⁸
 31. On January 6, 2021, police used batons and water cannons to disperse a group of medical students and recent graduates protesting a decision by the Pakistan Medical Commission declining to recognize medical degrees from schools in Kyrgyzstan and Uzbekistan. Police claimed that, after they ordered the students to disperse, some of them threw stones at the police. An unspecified number of students were arrested.²⁹
 32. The resumption of in-person exams following the COVID-19-related switch to online instruction triggered a number of on-campus protests, which gave way to apparently
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disproportionate responses by state authorities. These include incidents on January 25, 2021, at the **University of Management and Technology**, where police beat and arrested members of the Progressive Students' Collective, leaving several hospitalized;³⁰ on January 26, 2021, at the **University of Central Punjab**, where security officials beat students with batons after they had been attempting to get into locked campus gates, and arrested more than 35 students;³¹ and on July 1, 2021, where police baton-charged and detained students from various institutions protesting outside the Higher Education Commission building in Islamabad.³²

33. On June 1, 2021, faculty and staff from multiple universities gathered at the **University of Peshawar** to demand a series of reforms to university policy. In response, police reportedly beat protesters with batons; fired tear gas into the crowd, injuring several; and detained eight protestors for allegedly blocking the road.³³
34. On July 7, 2021, the Khalil Students Organization (KSO) led a student protest at **Islamia College Peshawar**, demanding a reduction in student fees and the replacement of the school's treasurer. When the school declined to meet all their demands, the KSO led a group of about 200 students to protest off campus, blocking traffic. In response, police fired teargas and beat student protesters with batons, injuring at least 12.³⁴
35. On September 8, 2021, hundreds of students had gathered near the Balochistan Assembly to protest irregularities in the Pakistan Medical Commission's exam for admission to medical school. As the students marched towards the Assembly, police reportedly charged and beat them with batons, and detained as many as 50 students.³⁵
36. On March 1, 2022, students peacefully protested the apparent abduction of **Quaid-i-Azam University** student Hafeez (Hafiz) Baloch in front of the National Press Club. In response, police beat students with batons injuring six, and arrested 200 on sedition charges.³⁶

CONCLUSIONS AND RECOMMENDATIONS

The lack of effective protections for academic freedom in Pakistan remains troubling. Sectarian and political violence on campus are frequent occurrences. Professors face prosecution for everyday academic expression. And universities and police authorities have frequently responded to on-campus protests in a manner that has been manifestly disproportionate, including violence and arrest for nonviolent public expression. Accordingly, SAR respectfully urges UN member states to call on Pakistani authorities to:

- A. Take affirmative measures to protect and promote academic freedom and institutional autonomy, in particular by ensuring that police and other state authorities do not enter campuses absent a legitimate public safety need, and do not interfere in on-campus or student protests;
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- B. Ensure that authorities refrain from the use of force, arrests, imprisonment, and the death sentence in connection with students' and scholars' nonviolent exercise of the rights to freedom of expression, freedom of assembly, and academic freedom;
- C. Revise Section 295-C of the Penal Code to include an intent requirement, and specific and focused evidentiary and due-process requirements for all blasphemy prosecutions; and
- D. Take available action to ensure the release and safety of Junaid Hafeez and other members of the higher education community who have been wrongfully convicted.

¹ CESCR, General Comment No. 13: The Right to Education (Article 13) (8 December 1999), para. 38.

² A/75/261, 28 July 2020 at para. 8.

³ A/75/261, 28 July 2020 at para. 9.

⁴ A/75/261, 28 July 2020 at para. 52.

⁵ A/75/261, 28 July 2020 at para. 27.

⁶ See Constitution of Pakistan (2015), available at https://www.constituteproject.org/constitution/Pakistan_2015

⁷ <https://www.ilo.org/dyn/natlex/docs/ELECTRONIC/64050/88951/F1412088581/PAK64050%202017.pdf>.

⁸ The incident occurred after SAR's previous UPR submission on Pakistan, but prior to the current cycle.

⁹ See Scholars at Risk Academic Freedom Monitoring Project Report (SAR AFMP), April 13, 2017,

<https://www.scholarsatrisk.org/report/2017-04-13-abdul-wali-khan-university/>

¹⁰ See SAR AFMP, December 1, 2017, <https://www.scholarsatrisk.org/report/2017-12-01-agricultural-training-institute>

¹¹ See SAR AFMP September 09, 2018, <https://www.scholarsatrisk.org/report/2018-09-09-bahauddin-zakaria-university/>

¹² See SAR AFMP, March 20, 2019, <https://www.scholarsatrisk.org/report/2019-03-20-sadiq-egerton-college/>

¹³ See SAR AFMP, December 12, 2019, <https://www.scholarsatrisk.org/report/2019-12-12-international-islamic-university-islamabad/>

¹⁴ See SAR AFMP, February 28, 2020, <https://www.scholarsatrisk.org/report/2020-02-28-university-of-punjab/>

¹⁵ See SAR AFMP, August 26, 2021, <https://www.scholarsatrisk.org/report/2021-08-26-punjab-university/>

¹⁶ See SAR AFMP, April 17, 2014, <https://www.scholarsatrisk.org/report/2014-04-17-bahauddin-zakariya-university-multan-pakistan/>; and United Nations Office of the High Commissioner for Human Rights, "Pakistan blasphemy death sentence for Junaid Hafeez is 'travesty of justice' - UN experts," December 27, 2019, <https://www.ohchr.org/en/press-releases/2019/12/pakistan-blasphemy-death-sentence-junaid-hafeez-travesty-justice-un-experts>.

¹⁷ See SAR AFMP, December 2, 2019, <https://www.scholarsatrisk.org/report/2019-12-02-abdul-wali-khan-university/>

¹⁸ See SAR AFMP, June 10, 2020, <https://www.scholarsatrisk.org/report/2020-06-10-shah-abdul-latif-university/>

¹⁹ See SAR AFMP, October 23, 2017, <https://www.scholarsatrisk.org/report/2017-10-23-quaid-i-azam-university/>

²⁰ See SAR AFMP, January 15, 2018, <https://www.scholarsatrisk.org/report/2018-01-15-federal-urdu-university-arts-science-and-technology/>

²¹ See SAR AFMP, October 4, 2018, <https://www.scholarsatrisk.org/report/2018-10-04-university-of-peshawar/>

²² See SAR AFMP, February 2, 2019, <https://www.scholarsatrisk.org/report/2019-02-09-forman-christian-college/>

²³ See <https://twitter.com/ammaraIijan/status/1358841292327964677?lang=en>

²⁴ See SAR AFMP, June 20, 2020, <https://www.scholarsatrisk.org/report/2020-06-20-forman-christian-college/>

²⁵ See SAR AFMP, November 11, 2019, <https://www.scholarsatrisk.org/report/2019-11-17-university-of-sindh-jamshoro/>

²⁶ See SAR AFMP, November 30, 2019, <https://www.scholarsatrisk.org/report/2019-11-30-punjab-university/>

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- ²⁷ See SAR AFMP, December 1, 2019, <https://www.scholarsatrisk.org/report/2019-12-01-university-of-balochistan-punjab-university/>
- ²⁸ See SAR AFMP, June 24, 2020, <https://www.scholarsatrisk.org/report/2020-06-24-various-institutions/>
- ²⁹ See SAR AFMP, January, 6, 2021, <https://www.scholarsatrisk.org/report/2021-01-06-unknown/>
- ³⁰ See SAR AFMP, January 25, 2021, <https://www.scholarsatrisk.org/report/2021-01-25-university-of-management-and-technology/>
- ³¹ See SAR AFMP, January 26, 2021, <https://www.scholarsatrisk.org/report/2021-01-26-university-of-central-punjab/>
- ³² See SAR AFMP, July 1, 2021, <https://www.scholarsatrisk.org/report/2021-07-01-various/>
- ³³ See SAR AFMP, June 1, 2021, <https://www.scholarsatrisk.org/report/2021-06-01-university-of-peshawar/>
- ³⁴ See SAR AFMP, July 7, 2021, <https://www.scholarsatrisk.org/report/2021-07-07-islamia-college-peshawar/>
- ³⁵ See SAR AFMP, September 8, 2021, <https://www.scholarsatrisk.org/report/2021-09-08-various>
- ³⁶ See SAR AFMP, March 1, 2022, <https://www.scholarsatrisk.org/report/2022-03-01-quaid-i-azam-university/>
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