

## Pakistan UPR 14<sup>th</sup> session – October 2012

### UPR recommendations accepted by Pakistan in 2008

- *To review laws and measures to ensure that restrictions imposed on freedom of expression are in conformity with ICCPR to which Pakistan is signatory*
- *That the government investigates and prosecutes both government officials and other perpetrators for acts against members of the media.*

However, Pakistan considers that the following recommendations are neither universally recognized human rights nor conform to its existing laws, pledges and commitments and cannot accept them:

- *Recommend the decriminalization of defamation;*
- *To review the legislation of blasphemy to align it with the principles of freedom of thoughts, conscience and religion and inter alia relevant obligations under the ICCPR*

### Introduction

For the second year in a row, Pakistan is deemed the deadliest country for journalists. *Reporters Without Borders* places Pakistan's position in regard to the safety and protection of journalists at 151st out of 179<sup>th</sup> on the Press Freedom Index. In 2011, 10 journalists were brutally killed, while various others were kidnapped, held hostage, wounded, beaten, and threatened by police and citizens alike. Pakistan's treatment of its journalists was already noted during the Universal Periodic Review in 2008.

### Violence Against Journalists – State and Citizen Aggressions

While some members of the press were victims of violence by regional organizations, There are reasons to believe that the government secret service agents were also responsible for some attacks. In March 2001, Mohammad Rafique Baloch, the vice president of Karachi Union of Journalists was detained for several hours and kept from attending a hearing dealing with the pay and working conditions of journalists. While he cannot know who kidnapped him as he was blindfolded, he claims that it was the government secret service which prevented him from attending the hearing.

Other cases of state-related violence toward journalists include attacks by police officers. Zahid Hussein was attacked and beaten by police, even after stating that he was a member of the press. Fayyaz, a cameraman, was shot in the back by a stray bullet during a demonstration. The only exchange of bullets during this public event was by police officers. Both of these acts of

violence occurred in March 2011. In May 2011, the kidnapping, torture and killing of Syed Saleem Shahzad demonstrates the threat posed by the Intelligence agencies and in particular the Inter Service Intelligence (ISI). Although a report of a commission of investigation clearly pointed in direction of the ISI, no further investigation was conducted, letting the case become another example of the impunity that reigns in Pakistan.

Other deadly acts of violence include shootings such as in the August 2011 case of Munir Ahmed Shakir. There are also bombings, as in April 2011, of *FM 93 Radio Dilbar*, or in May of Nasrullah Afridi's car.

In October 2011, Faisal Qureshi was brutally stabbed in Lahore, and in tribal areas, there are countless threats and intimidation targeting journalists. These tribal areas are in fact the most dangerous places for journalists who work there and frequently, the motivations for these acts of violence are the perceived notion of defamation or blasphemy which Pakistan has refused to decriminalize.

### **Internet Filtering**

Since the 2008 UPR the government has also moved to block certain news stations such as the BBC World News and Geo TV. More recently, it announced it will establish an electronic barrier for filtering the internet. These actions will restrict even further the free flow of information.

### **Recommendations**

- The deaths and violence facing media professionals over the past two years has reached unacceptable levels and the government needs to move urgently to ensure effective protections of media professionals.
- Recommendations Pakistan committed to implement in 2008 need to be reiterated and implemented.
- Attempts to limit freedom of expression on the internet should be abandoned.
- Finally, in the light of Human Rights Committee General Comment N° 34 on *Article 19*,: *Freedoms of opinion and expression*, and as a first step to curb violence and impunity targeting the media, Pakistan should consider implementing the recommendation it rejected in 2008 regarding defamation and blasphemy.