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<th>Abbreviation</th>
<th>Full Form</th>
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<tr>
<td>ATI</td>
<td>Access to Information</td>
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<tr>
<td>FIA</td>
<td>Federal Investigation Agency</td>
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<tr>
<td>FoE</td>
<td>Freedom of Expression</td>
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<td>IHC</td>
<td>Islamabad High Court</td>
</tr>
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<td>PECA</td>
<td>Prevention of Electronic Crimes Act</td>
</tr>
<tr>
<td>PEMRA</td>
<td>Pakistan Electronic Media Regulatory Authority</td>
</tr>
<tr>
<td>PFUJ</td>
<td>Pakistan Federal Union of Journalists</td>
</tr>
<tr>
<td>PTA</td>
<td>Pakistan Telecommunication Authority</td>
</tr>
<tr>
<td>RTI</td>
<td>Right to Information</td>
</tr>
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<td>SC</td>
<td>Supreme Court</td>
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EXECUTIVE SUMMARY

The situation for freedom of expression in Pakistan was less than ideal even before the impact of the Covid-19 pandemic began to be felt in the country around March 2020. During the past few years, independent national and international observers had noted a gradual shrinking of space for civil and political discourse in the country and a steady deterioration in the ability of citizens to exercise their fundamental rights of freedom of expression and access to information.

Some of this downward shift was unsurprisingly attributed to growing controls of information by State and private actors that undermined press freedom and the independence of the mainstream news media. Increasing political polarisation in society and a highly volatile domestic political scene in recent years also added to a hostile environment for expression even as online media assumed a significant role in providing avenues to the public to share their views and opinions on social and political issues.

All this meant that there could have hardly been a few realistic expectations of any sudden improvement in the freedom of expression landscape of Pakistan in 2020 to start with. But the year 2020, as we now know, defied all expectations and upset all predictions at a global level.

The coronavirus pandemic and its associated lockdown created additional hurdles for the free expression of citizens and the professional work of journalists in Pakistan and also escalated the threats, such as disinformation, to the quality and credibility of information available to the public. This was especially dangerous because on the one hand the supply of timely and reliable information was crucial for the citizens to protect them against the spread of the virus while on the other hand a free and pluralistic debate appeared necessary to develop and inform an efficient and effective response to the pandemic in the country.

Instead, during 2020, Pakistan’s media and Internet regulatory authorities continued to exert arbitrary legal and regulatory restrictions on speech and online content. Journalists remained vulnerable to physical, legal, and digital threats in the absence of long-awaited legislation on journalists’ safety. Media organisations and journalists also faced restrictions on access to sources of information and were targeted with online abuse for their critical and independent journalism.

The digital expression of citizens was similarly threatened throughout the year by criminal laws, coordinated campaigns to harass and manipulate users, rampant disinformation, and the arbitrary blocking and removal of not just content but also entire social media apps. Political expression, whose vibrancy has unquestionably grown during the past decade, remained under fire during 2020 as political leaders and their supporters were reported to have been charged with sedition and other crimes on the basis of their speech and actions such as public protests. Online or offline artistic and creative content was also found subjected to bans and blocking on the grounds of sociocultural norms and standards of morality and decency, which became a running theme for imposing restrictions on expression in Pakistan during 2020.

While all of these developments arguably cannot entirely be associated with the Covid-19 response and its associated aftermath, they nevertheless played out against the backdrop of the pandemic. More troublesome, however, is the ‘big picture’ view populated by the current pressures on the online and offline expression of the public, in general, and journalists and human rights defenders particularly. The developments in 2020 unfortunately hint at a policy vision and a practical regime designed to curb the right to freedom of expression of citizens through the arbitrary enforcement of statutory regulations and the imposition of vague but severe notions of sociocultural values.

To understand these changes and to put individual incidents into perspective, the inaugural Pakistan Freedom of Expression report provides a comprehensive review of the state of freedom of expression in the country for the year 2020.
The report’s findings show that Pakistan performed poorly in all areas used to assess the overall situation of free speech. Pakistan scored 30 points out of a possible 100 on the Freedom of Expression Assessment Index. This indicates that the state of freedom of expression remained poor in the country during the year of the Covid-19 pandemic.

**THE FREEDOM OF EXPRESSION ASSESSMENT INDEX — PAKISTAN COUNTRY SCORE 2020**

Pakistan scored 30 out of 100 on the Freedom of Expression (FoE) assessment index for year 2020, indicating an overall poor state for the right provided to citizens by Article 19 of the Constitution.

The index score was calculated by measuring key indicators along six dimensions related to expression, including the legal environment, digital expression, and press freedom.

<table>
<thead>
<tr>
<th>The FoE Assessment Index Gauge</th>
</tr>
</thead>
<tbody>
<tr>
<td>The needle’s position reflects the index score.</td>
</tr>
<tr>
<td>Terrible 0 to 24</td>
</tr>
<tr>
<td>Poor 25 to 49</td>
</tr>
</tbody>
</table>

Figure 1: Freedom of Expression Assessment Index 2020

The index score is calculated by measuring a wide-ranging set of indicators across six dimensions and the report presents an overview of each dimension by discussing key developments that affected the free expression of citizens in 2020. The dimensions used for the assessment are: the legal environment, press freedom, digital expression, pluralism, the socioeconomic and political situation, and (protection from) threats to expression. The assessment indicators were measured through a survey of a panel of experts, and desk research was conducted to monitor the threats linked with freedom of expression.

**Legal Environment**: While the assessment found that Pakistan provides constitutional guarantees for freedom of expression and access to information, there was general agreement among the experts surveyed for the report that restrictions on online and offline expression are not clearly defined in the Constitution and subsequent laws and regulations. The report also found that the regulatory bodies for the media and the Internet were not considered to be operating independent of government control. Criminal punishments for defamation and lack of legal protections for journalists as well as the variability in the judiciary’s role regarding cases related to expression also weaken the legal environment for protection of freedom of expression in the country.

**Press Freedom**: The report’s findings confirm that journalists are frequently subjected to threats, intimidation, and attacks and there is widespread impunity afforded to the perpetrators of these threats and attacks. There was strong agreement among the surveyed experts that the State attempts to influence the news media and journalists through official or unofficial censorship, restrictions on coverage, advertisements, and regulatory and legal sanctions. Very few media organisations in the country were found to be perceived as having independent editorial policies and most journalists were considered to be practising self-censorship in their work to avoid facing threats and intimidation.

**Digital Expression**: The assessment found a strong perception among the respondents that Internet users are subjected to a great extent to harassment, hate speech, coordinated digital attacks, and other forms of cyber crimes for the online expression of their opinions. The effect of this online harassment was also noted in the findings as there was strong agreement that Internet users avoid to share opinions on topics, such as political, social, and religious issues, due to the fear of negative consequences. In addition, the systems through which citizens could seek protection from cyber crimes and online harassment in relation to their expression were found to be perceived as largely ineffective.

**THE DIMENSIONS OF FREEDOM OF EXPRESSION**

The assessment framework used six dimensions to measure the state of Freedom of Expression (FoE) in Pakistan. Each dimension is scored from 0 to 100, with high scores representing better conditions. The following chart shows the situation of the dimensions in the year 2020.

Figure 2: Dimensions of Freedom of Expression Assessment
Pluralism: There was a strong sense among the survey respondents that even though people have considerable access to a wide variety of information sources that reflect a diversity of opinions, the news and media organisations in Pakistan are concentrated in terms of ownership. It was also noted that all media do not give fair and equal coverage to all genders and all underprivileged communities. Public sector broadcasters were perceived to be firmly under government and political control and it was believed that women are not provided equal opportunities at news organisations, further undermining the pluralism dimension of freedom of expression in the country.

Socioeconomic and Political Situation: The assessment found strong indications that citizens, including political leaders and human rights defenders, were targeted by government and private actors for their online and offline political expression and legal measures that include opinion crimes are used to punish citizens for their speech. For the Internet, the ability of citizens to access digital media was considered to be limited by poor infrastructure and Internet services were perceived to be unaffordable for large segments of society.

Protection from Threats to Expression: The report noted an increase in physical threats against journalists in Pakistan as well as sustained legal and regulatory pressures against the expression of journalists, media organisations, and citizens during 2020 as compared to 2019. During the year, at least eight individuals connected with the media were killed, at least 36 journalists were attacked in the line of duty, 10 journalists were arrested, 32 journalists reported receiving verbal threats against them, and at least 23 instances of arbitrary detentions in connection with news reporting and online expression were recorded across the country. An increase was also witnessed in the incidents of temporary abductions of journalists and legal actions against citizens, including journalists and human rights defenders, for their online posts.

The assessment report also offers several recommendations, including the following:

- The government and opposition political parties should work with media stakeholders to ensure passage of the journalists’ safety bill in 2021 and supervise its effective implementation.
- The Pakistan Electronic Media Regulatory Authority (PEMRA) should refrain from using its licensing terms and the broadcasting code as tools of censorship. The legislators should explore a co-regulatory approach for broadcast regulation in the country.
- The legislators should introduce amendments in the Prevention of Electronic Crimes Act to repeal its Section 37 that allows content blocking and pave the way for a fresh and improved Internet governance framework for the country that ensures online freedom of expression.
- Courts should ensure that the designated law enforcement agency does not resort to intimidating tactics during its investigations of online speech-related cyber offences and provide sufficient opportunities for defence.
1. INTRODUCTION

The Constitution of Pakistan gives citizens the right to freedom of expression through Article 19. The country has also ratified the International Covenant on Civil and Political Rights (ICCPR), which forms an important component of international human rights law and whose Article 19 specifies the right to freedom of opinion and expression. The constitutional provision and the international commitment create an obligation for the State to ensure that all citizens are able to freely exercise this right.

But Pakistan’s record for protecting the freedom of expression of its citizens in practice is abysmal. Long periods of dictatorship in Pakistan’s history imposed strict curbs on media freedom and political expression. During democratic tenures, these controls on opinion and information assumed a regulatory nature. Criminal laws dissuade citizens, including journalists and human rights defenders, from freely expressing their opinions due to fear of persecution. The availability and use of the Internet have provided the public with an opportunity to make their voices heard, but more recently the State has started to assert itself on cyberspace with laws and regulations.

International studies have measured Pakistan’s performance with respect to press freedom, the impunity in crimes against journalists, and freedom on the Internet over the years. The annual Freedom of the World report by Freedom House also includes a brief section on freedom of expression along with other political rights and civil liberties in its Pakistan country report. Similarly, many national media freedom watchdog groups produce annual reports about media freedom in the country and the Human Rights Commission of Pakistan does a yearly review of the state of human rights. But despite these commendable efforts, there is no annual analysis that looks exclusively at the overall state of freedom of expression in Pakistan. Such an analysis would have to be consistent in terms of measurement and comprehensive in scope. It should include a discussion on press freedom but also examine other areas of expression, such as the legal and regulatory environment, the threats to the online and offline expression of citizens, and the issues of access and diversity. This research publication aims to fill the gap in knowledge identified above by providing an index that can be measured annually to keep track of the improvements or degradation of freedom of expression in Pakistan.

This report is based on a freedom of expression assessment framework developed by Media Matters for Democracy (MMfD) in April 2020 as part of the Civil society for Independent Media and Expression (CIME) initiative. The framework measures freedom of expression across the following six dimensions: legal environment, press freedom, digital expression, pluralism, socioeconomic and political situation, and (protection from) threats to expression. Each dimension is divided into a set of indicators. The cumulative mean value of these sets of indicators provide an index score ranging from 0 to 100 that reflects the current level of freedom of expression in Pakistan.

The inaugural edition of the Pakistan Freedom of Expression report covers the reporting period from 1 January to 31 December 2020. Its overall finding shows that Pakistan scored 30 out of 100 points on the Freedom of Expression Index. The score represents a poor state of freedom of expression. The following chapters discuss the constituent dimensions that contributed to the overall situation. Chapter 2 provides details on the assessment framework and report methodology, which will help understand the indicator scores. Year 2020 was without a doubt an extraordinary year due to the outbreak of the novel coronavirus and its quick spread throughout the world to achieve pandemic status. To acknowledge this impact, the 2020 report devotes Chapter 3 for a special report on the Covid-19 effects on expression. Chapters 4 to 9 discuss the six dimensions of freedom of expression used for this assessment and share key developments for each of these areas. Chapter 10 provides brief recommendations for the future.

It is hoped that the assessment framework will aid in annual reviews of freedom of expression in Pakistan and the current study’s findings and recommendations will help to improve the situation of freedom of expression and ensure that citizens get to exercise their constitutional right freely without fear of persecution.
2. METHODOLOGY

The freedom of expression assessment framework[*] is built on six dimensions, including, legal environment, press freedom, digital expression, pluralism, socioeconomic and political situation, and protection from threats to expression. Each dimension is divided into 10 indicators, weighted equally.

The indicators for the first five categories are largely qualitative and record the existence of protections for expression and their delivery in practice. The sixth indicator group is quantitative and based on the documentation of diverse types of threats related to expression faced by citizens, including journalists and human rights defenders, during the reporting period. Primary and secondary research was used to collect data for the indicators.

To determine the values of the qualitative indicators for the first five dimensions, a survey of experts was conducted. The questionnaire for the survey, available in Appendix A, was designed with one question assigned to each indicator. Ten questions that related to the existence and identification of legal documents were excluded from the survey and assigned to the research team to answer through desk research. The remaining 40 questions were included in the questionnaire, and each question was measured through a 5-point Likert scale. The survey questionnaire was administered to a group of eminent professionals identified from the fields of media, law, human rights advocacy, politics, and academia. Fifty individuals were identified and contacted to participate in the survey online, with 36 responses recorded during the data collection phase giving a nearly 70 percent response rate. Care was taken in the expert identification to ensure a diversity of opinions could be represented in the sample.

The results were coded on a scale from 0 to 1 with a 0.25-point interval. A coding key was developed to cover the Likert-scale options for all 40 questions. For questions that negatively affected freedom of expression, the absence or minimum extent of the phenomenon was coded as 1. For questions that positively affected freedom of expression, the existence or maximum extent of the phenomenon was coded as 1. For example, the third indicator in the press freedom dimension was represented by the question: “How frequently are journalists in the country subjected to threats, intimidation, and attacks?”

The phenomenon in this question — threats and attacks — negatively affects freedom of expression because more threats mean more restrictions on freedom. So the answer value of “never” was assigned a 1-point score and the answer value of “always” was assigned a 0-point score. But the fourth question for the same dimension was framed as “How frequently are perpetrators of crimes against journalists brought to justice?” which positively affects freedom of expression because more convictions would mean more protection for freedom of expression. So the answer value of “never” in this case was assigned a 0-point score and the value of “always” was assigned a 1-point score.

The effect of this scheme is that high scores always represent a better state of freedom of expression for the first five dimensions used for the assessment as well as for the overall index score. The mean of the indicator scores for each dimension was calculated to provide the dimension score.

For the sixth dimension, each of the 10 indicators were further divided into sub-indicators. These sub-indicators measured the actual incidence of expression-related threats, attacks, and regulatory actions in the country. For example, threat indicator 1.1 documented the number of journalists killed in Pakistan during the reporting period.

Secondary research was used by the research team to collect statistics for the threat indicators. The threat monitoring reports by media development and digital rights organisations, such as Media Matters for Democracy, Pakistan Press Foundation, Freedom Network, Bolo Bhi, and Digital Rights Foundation, were used as well as government statistics wherever available. News reports were also consulted to determine the veracity of some incidents before recording the values of the indicators.

To provide a year-on-year comparison of threats, the value of each sub-indicator from 2019 (wherever available) was used as a benchmark and the 2020 value was divided by the past year’s value to get a score for the sub-indicator. Where this score exceeded one, the value of the sub-indicator was capped at one. The mean value of all sub-indicators for an indicator provided the score for that indicator**.

A high number of threats present a challenge for freedom of expression rather than better conditions as was the case previously with the first five dimensions. To avoid this intuitive contradiction, the threat indicator values were run through the following formula to calculate a Protection from Threats dimension for the overall index score:

\[
\text{Protection from Threats} = 1 - \text{avg}(T1:n)
\]

Where \( \text{avg} \) = mean of values, \( T \) = Threat indicator, \( n = 10 \)

In this way, all the six dimensions were scored on a scale of 0 to 1, with the higher values showing better conditions. This provided macro-level consistency for the results. The dimension values were scaled by a factor of 100 for ease of comprehension and better visual display. The mean of the scaled values of the six dimensions was calculated to provide the overall freedom of expression index score, with a range between 0 and 100. The index score was divided into four categories to assign a qualitative label to describe the state of freedom of expression. This would also enable comparative analysis over time. The four categories were assigned colour codes to distinguish them. The same categories also apply to the total score of each dimension discussed in the chapters below. These colour-code assignments are as follows:

<table>
<thead>
<tr>
<th>Index Score</th>
<th>State of Freedom of Expression</th>
<th>Colour Code</th>
</tr>
</thead>
<tbody>
<tr>
<td>0 to 24</td>
<td>Terrible</td>
<td>Black</td>
</tr>
<tr>
<td>25 to 49</td>
<td>Poor</td>
<td>Red</td>
</tr>
<tr>
<td>50 to 74</td>
<td>Satisfactory</td>
<td>Yellow</td>
</tr>
<tr>
<td>75 to 100</td>
<td>Good</td>
<td>Green</td>
</tr>
</tbody>
</table>

Limitation: The findings of this report are limited by the data collected through the survey of experts and threat monitoring. In the interest of transparency, the data set has been made public so independent researchers may review it and identify any potential issues that can be avoided in the next iteration of this assessment. Efforts are also being made to ensure that an independent oversight mechanism could be introduced for the next annual report based on this assessment framework to check the formulation of the expert panel and the survey findings as well as the data collected for the threats to expression dimension.


**Note: The complete data set used for this report is publicly available at the following link: https://www.digitalrightmonitor.pk/wp-content/uploads/2021/03/FOEreportdata.xlsx
3. SPECIAL REPORT: COVID-19 IMPACT

The Covid-19 pandemic intensified the challenges to freedom of expression and access to information in several ways. Internet users were consistently exposed to online disinformation. Journalists reporting on the pandemic from the front lines often did not have any safety equipment to protect them against the virus, and young citizens without Internet access found themselves abandoned as education systems shifted online.

The digital divide in Pakistan was starkly exposed when 80 students were arrested in Balochistan in June during a public demonstration in which they were demanding Internet access to participate in online classes and protesting against unfair tuition fees. Schools and universities were closed in March to prevent the spread of Covid-19 and universities were told to conduct classes online.

This decision disproportionately affected districts of Khyber Pakhtunkhwa that were formerly part of the federally administered border region as well as areas of Balochistan, where the Internet had been shut down years ago for security reasons. Students in Waziristan had started protesting against their forced exclusion from e-learning opportunities as early as April. By June, the student protests had spread to other parts of the country.

The Covid-19 cases peaked in June and by then over 150 journalists had contracted the virus during the course of their work. Eight journalists and media workers died due to Covid-19 during the year. Journalists also faced problems related to access to information and reliable data during their coverage.

In Khyber Pakhtunkhwa and Balochistan specifically, several journalists were forcibly prevented from covering the pandemic response and lockdown violations. In some of these cases, reporters in the field were detained and charged under criminal laws as they attempted to provide coverage of government efforts to contain the spread of the coronavirus. In one such instance, two journalists were detained and tortured for reporting about conditions at a border quarantine centre.

Journalism also came under increasing stress due to job security issues, financial pressures, and digital threats during the pandemic. Journalists who asked questions about the government’s pandemic response faced abuse and harassment on social media. Women journalists directly accused government officials and supporters of launching online attacks against journalists and commentators who were critical of the government’s handling of the coronavirus pandemic.

Internet use surged during the lockdown but so did instances of viral disinformation and reported incidents of cyber harassment. Rumours, conspiracy theories, and disinformation about Covid-19 origin, cures, and human impact spread rapidly through Pakistan’s social networks during the first wave of the pandemic.

The Covid-19 disinformation observed in the country was dangerous for at least two reasons: the conspiracy theories encouraged people to believe the coronavirus was a myth even though it presented serious risks to their health, and the false messages targeted religious and ethnic minorities by wrongly linking them with the spread of the virus and inciting discrimination against them. The public relied heavily on mainstream news media for Covid-19 information and showed a lack of trust in social media.

A local political leader was arrested in Chitral for spreading rumours about Covid-19 in February and a Lahore resident was arrested for allegedly creating panic by publishing posts on social media about Covid cases in his neighbourhood. The government formed a high-level anti-disinformation committee in July to identify and restrict Covid-related false messages online but its subsequent activity was not made public.

By August, a majority of Pakistanis felt the coronavirus threat was exaggerated and before the country went into a partial lockdown again in November, the federal minister in-charge of Covid response urged people to take Covid-19 precautions seriously. Political activity was charged during the second half of the year with a movement of opposition political parties that had protest rallies against the government despite the fear that the mass gatherings would increase the spread of infection.

Meanwhile, medical professionals who protested about lack of protective gear were arrested\(^{25}\) and doctors who raised voice about public carelessness toward Covid-19 were gagged for allegedly spreading false information\(^{26}\). Authorities in Punjab and Khyber Pakhtunkhwa also directed health officials and other government employees to avoid speaking to the press without prior government approval\(^{27}\).


For more coverage on the Covid-19 impact on freedom of expression, please see the Digital Rights Monitor news archive at https://www.digitalrightsmonitor.pk/tag/cime-covid/
4. LEGAL ENVIRONMENT

The legal protections for the right to freedom of expression did not see any major improvement in 2020, despite promises from government authorities. On the contrary, attempts to regulate online content led to fresh concerns about violations of free speech on the Internet. The regulators and courts remained active throughout the year with cases that involved restrictions on expression, often contesting over which kinds of content were to be removed from the reach of citizens and why.

4.1 INDICATOR SCORES

The legal environment for freedom of expression was measured with the help of the following set of indicator questions. Each indicator was measured on a scale from 0 to 1, with higher scores representing better performance for the indicator. The mean score of the indicators was calculated and scaled by a factor of 100 to provide a cumulative value for the legal dimension.

For the 2020 report, the total score of the legal environment indicators is **37 points out of a possible 100**, showing that the legal environment for the protection of free expression in Pakistan remains poor.

<table>
<thead>
<tr>
<th>Indicator</th>
<th>Question</th>
<th>Score</th>
</tr>
</thead>
<tbody>
<tr>
<td>LE1</td>
<td>Is freedom of expression protected by the Constitution and other laws?</td>
<td>1/1</td>
</tr>
<tr>
<td>LE2</td>
<td>Is the right of access to information provided by the Constitution and other laws?</td>
<td>1/1</td>
</tr>
<tr>
<td>LE3</td>
<td>Are there specific laws to protect freedom of expression and information online?</td>
<td>0/1</td>
</tr>
<tr>
<td>LE4</td>
<td>Restrictions on freedom of expression are clearly defined in the Constitution or other laws, with safeguards provided for necessity of legitimate action and proportionality</td>
<td>0.45/1</td>
</tr>
<tr>
<td>LE5</td>
<td>Restrictions on online freedom of expression are clearly defined in cyber laws, with safeguards provided for necessity of legitimate action and proportionality</td>
<td>0.37/1</td>
</tr>
<tr>
<td>LE6</td>
<td>The process for licensing and registration of private media outlets is transparent, fair, and impartial</td>
<td>0.31/1</td>
</tr>
<tr>
<td>LE7</td>
<td>Regulatory bodies for media and the Internet operate freely and independently</td>
<td>0.14/1</td>
</tr>
<tr>
<td>LE8</td>
<td>Are there criminal punishments for defamation?</td>
<td>0/1</td>
</tr>
<tr>
<td>LE9</td>
<td>Are there laws and policies for the protection of journalists including citizen journalists and bloggers?</td>
<td>0/1</td>
</tr>
<tr>
<td>LE10</td>
<td>Courts exercise impartiality and independence in judging cases concerning expression of citizens and the media</td>
<td>0.42/1</td>
</tr>
</tbody>
</table>

The following chart offers a graphical representation of the indicator scores.

![Radar chart key](image)

**LEGAL ENVIRONMENT**

This set of indicators checks for the existence of constitutional provisions, national laws, and regulations about freedom of expression (FoE), access to information (ATI), the media, and the Internet.

<table>
<thead>
<tr>
<th>Indicator Code</th>
<th>Description (Score)</th>
</tr>
</thead>
<tbody>
<tr>
<td>LE1</td>
<td>Constitutional and legal protection for FoE (30)</td>
</tr>
<tr>
<td>LE2</td>
<td>Constitutional and legal protection for ATI (10)</td>
</tr>
<tr>
<td>LE3</td>
<td>Independence of media and Internet regulatory mechanisms (14)</td>
</tr>
<tr>
<td>LE4</td>
<td>Online FoE protection (5)</td>
</tr>
<tr>
<td>LE5</td>
<td>Criminal defamation law (9)</td>
</tr>
<tr>
<td>LE6</td>
<td>Online regulation (2)</td>
</tr>
<tr>
<td>LE7</td>
<td>Laws for journalists' safety (3)</td>
</tr>
<tr>
<td>LE8</td>
<td>Restriction on online FoE (37)</td>
</tr>
<tr>
<td>LE9</td>
<td>Independence and impartiality of judiciary regarding expression (42)</td>
</tr>
</tbody>
</table>

**Figure 3: Legal Environment Indicators**

4.2 KEY DEVELOPMENTS

- Government ministers for information and human rights announced that work was finalised on the draft of a bill for journalists’ safety and it would be presented in the Parliament soon. The bill was approved in principle by the federal cabinet in February 2020, but became the subject of inter-ministerial disagreements that took the entire year to resolve. However, by the end of December the bill had not been introduced for debate in the legislative assembly.

28 Note: Individual indicator scores are scaled by a factor of 100 for graphical representation for ease of comprehension and comparison. The same convention will be used throughout this report.

29 Announcement by information minister Shibli Faraz on Twitter (Urdu). Published 10 November 2020. https://twitter.com/shiblifaraz/status/1326102176079482880


● The Balochistan government approved the draft of a new bill on the right to information (RTI) and passed it into law. However, the government had not shared the draft bill for public scrutiny prior to the legislation’s passage32. Balochistan was the only remaining province in the country to not have an updated law on access to information. Its previous RTI law dated back to 2005 and did not offer adequate protections to citizens because of excessive exemptions from public disclosure and the lack of an efficient and exclusive appellate mechanism.

● The federal government enforced new rules for online content regulation despite vehement opposition from the civil society that the rules exceed the scope of their parent legislation and will create severe problems for the exercise of online freedom of expression in the country. The rules now face a legal battle in the Islamabad High Court (IHC) where the Pakistan Federal Union of Journalists and citizens have challenged them33.

4.3 DISCUSSION

Article 19 and 19-A of the Constitution of Pakistan provide for the right to freedom of speech and expression — as well as freedom of the press — and the right to access information of public importance respectively34. The protections for freedom of expression and access to information are not separately specified for online spaces but are understood to apply online as well. The Constitution subjects both the freedom of expression and the right to information to reasonable restrictions.

While the RTI laws passed by federal and provincial governments have clarified how these restrictions will be interpreted, there is no significant separate legislation to clearly and comprehensively define the restrictions on expression. Instead the restrictions are enforced through a variety of codes, criminal and sectoral laws, and regulations, including the Pakistan Penal Code (sedition, blasphemy etc.), the Anti Terrorism Act (national security concerns, hate speech etc.)35 and the Prevention of Electronic Crimes Act or PECA (online reputational protection, online incitement to commit an offence etc.).

Some types of restricted speech are covered by multiple laws. Defamation, for example, has both civil and criminal penalties in Pakistan and is separately treated as an offence under the cybercrimes law in case of online expression. The same goes for hate speech, which is regulated through the Anti-Terrorism Act, the broadcast media regulations, and PECA. The latter law notoriously does not provide any clarity on how restrictions will be imposed on online expression but is being used to restrict or remove content and charge Internet users with cyber offences in the country.

Under PECA, the Pakistan Telecommunication Authority (PTA) was supposed to formulate rules that could provide “safeguards, (a) transparent process, and (an) effective oversight mechanism” for imposing restrictions on online expression36. For three and a half years, the regulator did not get the rules approved and conducted arbitrary enforcement with complete disregard for standards of fairness and transparency. After it was ordered by the IHC to follow due process in blocking websites, the PTA set about making the rules of business for online content regulation37. The subsequent drama played out throughout the year of the pandemic38. The rules were secretly approved in January, became the subject of intense criticism when reports emerged about their existence in February, were suspended, revised through a largely boycotted consultative process, renamed, withheld from the public until further reprimand from court, and finally shared online only to be replaced a few days later with a corrected version39.

The Removal and Blocking of Unlawful Online Content Rules 2020, as the rules are currently titled, still fail miserably to provide sufficient safeguards for online freedom of expression and have instead resorted to a new sort of censorship regime, in which private social media companies and service providers have been directed to fend their platforms of content in violation of Pakistan’s laws under threat of penalties. This stipulation is contrary to the limited liability on service providers in PECA Section 38. The rules state that the Internet service providers and social media companies have to remove illegal content within six to 24 hours upon receiving directions from PTA. But the rules do not specify which tests the PTA officials will apply in making decisions about whether or not a piece of content must be removed or blocked and why.

The PTA has also retained suo motu powers to take notice of allegedly unlawful online content, leading to concerns that the government would influence the regulator in using this power to crackdown on online criticism and dissent. In addition, the rules are likely to create issues for data privacy by requiring companies to provide decrypted data to law enforcement and develop obstacles for the digital economy by imposing localisation requirements that may force international companies to abandon their operations in the country. A high court is hearing three petitions against the rules and has given the federal government time until April 2021 to submit a report in response to the concerns raised.

As is evident from the discussion on online content regulation, the lack of legislative guidance about restrictions on expression has left matters of free speech mostly at the mercy of media regulators. Judicial interpretation of fundamental rights has provided some instruction for regulators on the exercise of free expression and the application of restrictions on speech in the past. For example, a 2016 Supreme Court order encouraged the authorities to consider the nature of rights being infringed and the proportionality of the enforcement action among other things when contemplating restrictions on expression40. Similarly, a 2019 Supreme Court verdict declared all overt and covert forms of censorship in Pakistan as illegal and unconstitutional while also indicating that the right to freedom of expression comes with responsibility41. However, the courts have not always held a tolerant view toward the media especially when it comes to reporting about the judiciary. Courts of the supreme and high judicial must have frequently chided regulators for lax enforcement of broadcasting codes42 and advised the removal of online content that may be against religious beliefs43. In 2020, where on the one hand the IHC reversed a regulatory ban on an online game44 and admitted a petition regarding the suspension of a social media platform45, there is the other hand higher courts in Sindh and Punjab as well as the Supreme Court (SC)

32 For information about the Balochistan draft bill and current RTI regime in the province, please see: https://balochistanvoices.com/2020/10/editorial-civil-society-must-be-consulted-before-passing-rti-bill-in-balochistan/
35 For the connections between the constitutionally specified restrictions on speech and the operationalised restrictions in laws, please see pages 103-117 in “Unshackling expression: A study on laws criminalising expression online in Asia” by the Association for Progressive Communications: https://www.giswatch.org/sites/default/files/giswspecial2017_web.pdf
40 PLD 2016 SC 692
41 PLD 2019 SC 318
also issued directions to PTA for removal of blasphemous and anti-state materials from the Internet
46. The SC also issued a contempt notice to a journalist for allegedly insulting the judiciary in a tweet
47. The broadcast media regulator, PEMRA, and the Internet regulator, PTA, are not completely autonomous
48. and the federal government is involved in appointing their members and providing binding policy
directives to them
49. The regulators are also legally bound to accept the government’s decision about
50. whether or not a matter pertains to policy. Questions were raised about PEMRA’s independence when in
51. October the regulator issued a directive to ban the broadcast of comments by proclaimed offenders and
52. absconders from justice
53. The order appeared to be in connection with a live broadcast of former prime
54. minister Nawaz Sharif, who was allowed to travel to London for medical treatment by the government
55. in 2019 while he was serving a jail term for corruption and has not returned since
56. PEMRA’s order cited its past directives and relevant court orders, but the move was perceived as a demonstration of
57. government pressure because Sharif was participating in a multi-party protest movement against the
58. ruling party and had levelled serious allegations about the legitimacy of the 2018 elections
59. The ban was challenged in the IHC in a petition on the grounds of rights provided in Article 19 and 19-A
60. The court said it would not want to provide relief to absconders before adjoining the case
61. Efforts to bring about legislation for journalists’ safety in Pakistan have continued since 2011 without
62. success
63. A fresh journalists’ safety draft bill was developed by the human rights ministry under the
64. current federal government and presented to the federal cabinet for approval in February. However,
65. the cabinet did not formally approve the draft bill due to reservations expressed by the information
66. ministry
67. The human rights ministry’s bill was expected to offer necessary protections to journalists,
68. including digital media professionals, who are targeted for their work. A revised version of the bill was
69. finalised toward the end of the year but it was neither shared with media stakeholders for feedback nor
70. put up for debate in the Parliament
71. The working of the federal and provincial RTI commissions was
72. affected but not completely suspended during the pandemic
73. The Balochistan government did not
74. share the draft of a new RTI bill for public scrutiny before it was passed into law in February
75.
48  Secs. 5 & 6 of the PEMRA Ordinance and Secs. 3 & 8 of the Pakistan Telecommunication (Re-organization) Act apply.
55  Ibid., footnote 31.
58  Ibid., footnote 32.
59  Timeline of Right to Information Legislation: https://www.cpdi-pakistan.org/timeline
5. PRESS FREEDOM

Journalists remained vulnerable to threats, attacks, and intimidation through legal and extralegal measures. News organisations reported politically motivated suspensions and pressures to self-censor their reporting on political current affairs. Coordinated campaigns against journalists on Twitter became a routine, and the financial stress on the news industry led to further layoffs and job terminations for media professionals.

5.1 INDICATOR SCORES

The press freedom dimension included indicators about the safety of journalists, the pressures on media organisations to censor or self-censor their news reporting, and the level of impunity in crimes against journalists. The mean score of the indicators was calculated and scaled by a factor of 100 to provide the overall score for the dimension, which came out to be 30 out of 100 and represents a poor state for press freedom in the country in 2020.

<table>
<thead>
<tr>
<th>Indicator</th>
<th>Question</th>
<th>Score</th>
</tr>
</thead>
<tbody>
<tr>
<td>PF1</td>
<td>Are there laws requiring the licensing and registration of journalists before they can practice journalism?</td>
<td>1/1</td>
</tr>
<tr>
<td>PF2</td>
<td>Is there a legal mechanism to protect the confidentiality of journalistic sources?</td>
<td>0/1</td>
</tr>
<tr>
<td>PF3</td>
<td>How frequently are journalists in the country subjected to threats, intimidation, and attacks?</td>
<td>0.27/1</td>
</tr>
<tr>
<td>PF4</td>
<td>How frequently are perpetrators of crimes against journalists brought to justice?</td>
<td>0.16/1</td>
</tr>
<tr>
<td>PF5</td>
<td>How frequently are journalists subjected to legal action based on their work or online expression under the laws and regulations related to media, defamation or cybercrimes?</td>
<td>0.44/1</td>
</tr>
<tr>
<td>PF6</td>
<td>The State attempts to influence the news media and journalists through official or unofficial censorship and restrictions on coverage</td>
<td>0.14/1</td>
</tr>
<tr>
<td>PF7</td>
<td>To what extent do government and private actors control the media through advertisements and subsidies?</td>
<td>0.24/1</td>
</tr>
<tr>
<td>PF8</td>
<td>How frequently are regulatory and legal sanctions used against news organisations to influence their coverage?</td>
<td>0.35/1</td>
</tr>
<tr>
<td>PF9</td>
<td>As an estimate, how many media organisations in the country have independent editorial policies in practice, free from the influence of government, state and non-state actors or media owners?</td>
<td>0.23/1</td>
</tr>
<tr>
<td>PF10</td>
<td>Journalists self-censor their work due to internal and external pressures</td>
<td>0.15/1</td>
</tr>
</tbody>
</table>

The indicators are plotted altogether on the following chart, with the scores scaled by a factor of 100.

5.2 KEY DEVELOPMENTS

- Jang group Editor-in-chief Mir Shakilur Rehman was arrested by the National Accountability Bureau in March on charges of corruption in a property transaction he had conducted in 1986. Rehman was kept in custody for eight months without a trial and released on bail in November only after an intervention by the Supreme Court (SC).

- In April, the Sindh High Court overturned the death sentence of the man convicted for the 2002 murder of U.S. journalist Daniel Pearl in Pakistan and acquitted three others in connection with the case.

the killing\(^65\). The Sindh government filed a review petition after its appeal against the order was dismissed by the SC\(^66\).

- Journalist Matiullah Jan was abducted from the federal capital in July; his enforced disappearance ended 12 hours later when his unidentified abductors released him on the outskirts of Islamabad\(^67\). In October, Geo News reporter Ali Imran Syed was missing from near his home in Karachi; his family and colleagues feared it was an enforced disappearance case similar to Jan’s. Syed was returned safely a day later\(^68\).

- Hundreds of Pakistani women journalists signed two joint statements in August and September to protest against the coordinated harassment and abuse they were facing online from workers and supporters of political parties\(^69\). The statements demanded the government and political parties to restrain their supporters on social media and take action against the perpetrators involved in malicious attacks on women journalists.

- At least four journalists were booked in separate incidents under the cybercrimes law for their posts on social media\(^70\). One of the four journalists, Azharul Haq, was arrested in Lahore and denied bail\(^71\). Another journalist, Bilal Faruqi, was detained by Karachi police from his home and kept in arbitrary detention before his release could be sought\(^72\). Three of these cases, including the ones against journalists Asad Ali Toor and former PEMRA chairman Ahsar Alam, were registered in September within a week of each other.

- The Pakistan Bar Council formed a Journalists Defence Committee to provide legal assistance to journalists after noting an increase in criminal cases against journalists on the basis of their work and online expression. The committee is composed of 19 lawyers\(^73\). In less than three months, the committee has already provided legal support to two journalists and filed writ petitions in court on behalf of journalists to challenge the rules for content regulation and the harassment tactics of the Federal Investigation Agency (FIA).

### 5.3 Discussion

On September 27, the federal executive council of the Pakistan Federal Union of Journalists (PFUJ) issued a declaration that summed up the situation of press freedom in the country. In the statement, the trade union raised concerns about the “complete denial” of freedom of expression in Pakistan and warned about a “systematic war” launched by the government and anti-media forces against the press. The PFUJ said the tactics deployed by the authorities to silence the media included censorship, regulatory directives, threats, and abductions and arrests of journalists. These direct and indirect attacks are “forcing the media to resort to self-censorship of a kind never before forced on it in the past, even during military rules,” the union stated.

Before the year was over, the PFUJ launched a nationwide protest to demand media freedom\(^74\). The protest call capped a dismal year for the press, during which traditional and new pressures merged with the extraordinary threat posed by the Covid-19 pandemic to stifle journalists and media organisations. Throughout the year, several media groups blamed the authorities for persecuting them for their independent news reporting. The Dawn media group accused the government of abruptly stopping advertisements to its English-language daily newspaper and challenged the government’s withholding of ads in court\(^75\). Government ads form a significant part of the media revenue stream in Pakistan.

The Jang media group alleged that the authorities were threatening cable distributors to disrupt the broadcasts of the group’s flagship news channel, Geo News, a day after the group’s chief editor Mir Shakilur Rehman was arrested on graft charges in March\(^76\). Rehman remained in the National Accountability Bureau’s detention for eight months without a trial. During this period, local journalists and international press freedom watchdogs accused the government of persecuting independent journalism and using Rehman’s arrest as a bargaining chip to influence the editorial policies of the Jang media group\(^77\). In a February talk, Prime Minister Imran Khan had brazenly singled out both Dawn and Geo for publishing allegedly false stories against his government\(^78\).

The Lahore-based news channel 24 News had faced broadcast disruptions in 2019, allegedly to punish it for being critical of government policies\(^79\). In 2020, it remained in the regulatory crosshairs. When PEMRA suspended the channel’s licence in July\(^80\) on the charge that it was airing news programming on a licence reserved for entertainment content, industry associations condemned the action by declaring it a violation of press freedom and an attack on the livelihood of hundreds of media workers\(^81\).

The news channel received a stay order from the Lahore High Court against the suspension\(^82\). But the confrontation between PEMRA and 24 News was far from over. The regulator again suspended the channel’s licence on August 30 for broadcasting hate speech\(^83\). A police case was also registered against the channel’s owner Mohsin Naqvi separately\(^84\). When the channel continued to broadcast over satellite, the killing\(^85\). The Sindh government filed a review petition after its appeal against the order was dismissed by the SC\(^86\).

PEMRA stopped its satellite transmission in October\textsuperscript{82}. The 24 News transmission was restored again in November through another judgement of the Lahore High Court but the court ordered the proceedings about violation of licensing terms to continue\textsuperscript{83}.

Print media owners in Pakistan had exploited the labour of journalists and media workers for over two decades\textsuperscript{84}, often delaying salary payments. But journalists and media organisations blame the current federal government for escalating the financial strain on the broadcast media industry by meddling with government-issued ads and holding back payments\textsuperscript{85}. These tactics are believed to have led to the closure of several bureaus across the country rendering hundreds of journalists jobless. Media workers continued to face financial difficulties during 2020\textsuperscript{86}.

At the start of the year, representatives of the Pakistan Broadcasting Association told the National Assembly Standing Committee on Information that the government had not paid Rs. 4 billion in advertisement dues to the broadcast media organisations, which had led to non-payment of salaries and layoffs\textsuperscript{87}. Days earlier, Capital TV cameraman Fayyaz Ali had died of a heart attack; his colleagues said he was under severe stress because the channel had not paid salaries to its staff for several months\textsuperscript{88}. In April, the nascent Aap News channel stopped its operations leaving many of its employees jobless. The Pakistan Broadcasting Corporation terminated 749 contractual employees, including 177 news staff, in October\textsuperscript{89}.

At least eight media professionals were killed during the year, including a prominent citizen journalist in Balochistan\textsuperscript{90}. Media watchdogs documented at least 36 journalists targeted with physical attacks and assaults, including acts of torture, 32 instances of intimidation and threats, and at least two major instances of abductions of journalists\textsuperscript{91}.

A day before journalist Matiullah Jan was to appear in front of the apex court for the contempt proceedings against him, he was abducted by unidentified persons from outside a school in Islamabad. Footage of Jan’s abduction captured on the school’s CCTV cameras showed a terrifying scene in which a convoy of cars intercepted his car\textsuperscript{92}. Several men got out of these cars, forced him out of his vehicle, and surrounded him. These men appeared to be in plain clothes but were accompanied by armed men apparently wearing police uniforms. They pushed Jan forcibly into another car and drove away. Twelve hours later, he was released in a deserted location some 40 kilometres outside the city\textsuperscript{93}. The SC had issued the contempt notice to Jan for a tweet in which he had criticised a panel of judges who had issued a verdict in a high-profile case involving another Supreme Court judge\textsuperscript{94}. The SC ordered a joint investigation team of the police to investigate the abduction, but three months later till October 2020, the police had no clues about Jan’s kidnappers\textsuperscript{95}. During that same month, a broadcast journalist in Karachi was similarly shoved into a car near his home and disappeared for nearly 22 hours. Ali Imran Syed, the Geo News reporter, had recently reported exclusive information regarding the controversial arrest of an opposition politician from a Karachi hotel\textsuperscript{96}.

The similarities between the two incidents were not lost on observers: both journalists were kidnapped in broad daylight and returned after many hours; both were driven around and interrogated about their journalism\textsuperscript{97}. In Syed’s case as well, there were no reports about the results of the fact-finding committee set up by the government to investigate the matter.

The two incidents paint a dismal picture of the level of impunity in crimes committed against journalists in Pakistan. A 2019 Freedom Network report had found that not a single suspect was charged in 33 cases of murdered journalists in the country between 2013 and 2019\textsuperscript{98}. Even resolved cases could be upended, as the Committee to Protect Journalists’ annual impunity index noted in the case of the Daniel Pearl murder\textsuperscript{99}.

Pearl, the Wall Street Journal reporter, was beheaded by militants in Pakistan in 2002. The gruesome incident would later become an archetype for violence against international journalists by militants in Iraq during the U.S.-led invasion and Syria during the ISIS insurgency. The Sindh High Court in April overturned the convictions of four men accused of killing the American journalist. Ahmed Omar Saeed Sheikh’s death sentence was reduced to seven years in prison for a kidnapping charge and his jail time was considered served. Three other accomplices were acquitted.

The Sindh government intervened to stop the release of the prisoners, and filed an appeal in the SC to challenge the court’s decision. In December, while the appeal hearing was still ongoing, the Sindh High Court overturned Sheikh’s release from preventive detention but restricted him from leaving the country until the appeal’s decision; the SC dismissed the appeal in January 2021, following which the Sindh government filed a review petition\textsuperscript{100}.

Journalists were also targeted with criminal cases, including defamation under the penal code and the cybercrimes law. The PFUJ denounced the rules for online content regulation issued by the government and held that the rules will be used to censor digital journalism. Coordinated online campaigns against journalists became a regular feature, especially on Twitter where abusive hashtags were used to harass and discredit independent journalists and news outlets\textsuperscript{101}.


83 See tweet by 24News owner. Published 30 November 2020. https://twitter.com/MohsinnaqviC42/status/13339333831328385


90 For more details, please see Chapter 9: Threats to Freedom.

91 Ibid, footnote 90.


93 Ibid, footnote 64

94 Ibid, footnote 47


96 Ibid, footnote 65


Journalist Ahmed Noorani reported receiving online death threats after he published a news investigation about the alleged business interests of the family members of an official102.

In August, women journalists testified in front of the National Assembly human rights committee and shared instances of online abuse they faced on social media103. Earlier the same month, women journalists had released a joint statement calling out the role of the ruling party Pakistan Tehreek-e Insaf (PTI) and its supporters in the online harassment of women in media104.

The government representatives denied any involvement at the time, but in December the party’s official Twitter account posted two lists of journalists: one contained names the party considered to be “brave” and “bold” and the other contained names it accused of siding with corrupt politicians105. Almost all names in the former list were of journalists with a pro-government stance while the latter list was populated by journalists critical of PTI’s policies. For some observers, the tweet, which was later deleted, appeared to expose the ruling party’s intolerance toward criticism and its attitude regarding press freedom106.

102 See Ahmad Noorani’s tweet about death threats. Published 30 August 2020.
https://twitter.com/Ahmad_Noorani/status/1299957763104951297


106 See journalist Asma Shirazi’s tweet for contents of deleted PTI tweet. Published 2 December 2020.
https://twitter.com/asmashirazi/status/1334196979081166560

For more details about the impact of online harassment on the work and expression of Pakistani women journalists, please see Media Matters for Democracy’s recent research study

“Women Journalists and the Double Bind”

published as part of the CIME initiative in December 2020

http://mediamatters.pk/publications/
6. DIGITAL EXPRESSION

Regulatory curbs in the form of the now enforced rules for online content regulation and the rising levels of disinformation and online abuse on Pakistani social networks became major impediments to the digital expression of users in 2020. PTA also imposed several bans on social media platforms and apps on grounds of indecency and immorality.

6.1 INDICATOR SCORES

This dimension measures the level of freedom of expression enjoyed by Internet users in the country and the challenges they face in the exercise of their digital rights to share and access information online. The mean score of the digital expression indicators given below was calculated and scaled by 100 to determine the overall score for the dimension, which was found to be 34 out of 100. The dimension score of digital expression is slightly higher than the score of the press freedom dimension but it still falls in the range of ‘poor’ protections for the online expression of citizens.

<table>
<thead>
<tr>
<th>Indicator</th>
<th>Question</th>
<th>Score</th>
</tr>
</thead>
<tbody>
<tr>
<td>DE1</td>
<td>Do websites have to register with the government before going online?</td>
<td>1/1</td>
</tr>
<tr>
<td>DE2</td>
<td>Are there laws that criminalise online expression?</td>
<td>0/1</td>
</tr>
<tr>
<td>DE3</td>
<td>How frequently are Internet users subjected to civil or criminal cases for their online expression?</td>
<td>0.46/1</td>
</tr>
<tr>
<td>DE4</td>
<td>How frequently are Internet users subjected to extrajudicial intimidation or violence for their online expression?</td>
<td>0.4/1</td>
</tr>
<tr>
<td>DE5</td>
<td>Are Internet users subjected to harassment, hate speech, coordinated digital attacks, and other forms of cybercrime for their opinions and expression online?</td>
<td>0.25/1</td>
</tr>
<tr>
<td>DE6</td>
<td>Internet users avoid sharing opinions on certain topics, including political, social, and religious issues, online out of fear or negative consequences</td>
<td>0.19/1</td>
</tr>
<tr>
<td>DE7</td>
<td>Does the State monitor the Internet and social media activity of users?</td>
<td>0.28/1</td>
</tr>
<tr>
<td>DE8</td>
<td>The government follows a fair and transparent process for blocking or removal of websites and online content</td>
<td>0.2/1</td>
</tr>
<tr>
<td>DE9</td>
<td>Effective systems for complaints and appeals exist for online users who are targeted by cybercrimes or affected by content removal</td>
<td>0.31/1</td>
</tr>
<tr>
<td>DE10</td>
<td>How frequently do governments or private actors employ or provide ideological support to individuals or automated systems to run coordinated propaganda or hate campaigns on social media?</td>
<td>0.29/1</td>
</tr>
</tbody>
</table>

The following chart shows these indicators mapped together for the digital expression dimension, scaled by a factor of 100 for ease of comprehension.

Digital Expression Indicators

6.2 KEY DEVELOPMENTS

- The government issued the Removal and Blocking of Unlawful Online Content Rules 2020 under Section 37 of PECA, after suspending the Citizen Protection (Against Online Harm) Rules that first became public in February and elicited strong criticism. But many of the problems with the first version of the rules remain unresolved in the currently enforced set of rules. The regulation is likely to expand PTA’s powers and undermine the citizens’ exercise of the right to free expression online.
- Aurat March (Women’s March) organisers and supporters, including young women, were targeted with coordinated attacks that included sexualised abuse and rape threats to either prevent them from participating in the annual International Women’s Day rallies or punish them for having participated.
PTA temporarily suspended the popular video-sharing application TikTok on the charges that the platform contained indecent and immoral content.

PTA confirmed that a web monitoring system had been deployed in the country. The system, capable of deep packet inspection, was previously claimed to be necessary for curbing grey traffic and filtering Internet content in the country. Its use for surveillance could create a chilling effect for digital expression in the country.

6.3 DISCUSSION

The Prevention of Electronic Crimes Act (PECA) 2016 criminalises online expression and was used to register cases against citizens on the basis of online expression. In addition, sections of the penal code, such as those related to defamation, were also used to charge citizens for their social media posts.

Under PECA, the FIA is tasked with investigating cybercrimes and the telecom regulator PTA is authorised to apply content restrictions. Both agencies remained non-transparent and arbitrary in the dispensation of their duties.

According to digital rights observers, the FIA issued summons or conducted inquiries and investigations against Internet users in at least 15 cases related to their expression through social media posts109. These incidents included cases where journalists had been charged with cyber offences. A Rawalpindi journalist filed a petition in the IHC to challenge the harassing tactics used by FIA to summon individuals to its office for the purpose of inquiry110.

The FIA, which is required to submit biannual performance reports of cybercrime investigations to the Parliament, again failed to produce any such report. It also did not supply national consolidated data about the number of inquiries and investigations it conducted that led to prosecution of cyber offences.

Similarly, PTA did not reveal any detailed information to the public about the websites it blocked during the year or the number of data and removal requests it sent to Internet platforms. (After the reporting period for this period, PTA has published the number and list of blocked websites.)

As previously discussed, the government drafted rules for online content regulation and enforced them without considering the human rights concerns raised by the civil society.

The Asia Internet Coalition111 and the United Nations Special Rapporteurs110 had expressed their reservations about the rules from a digital economy perspective and an international human rights focus respectively. The former also wrote to the government and the regulator expressing its dis-satisfaction with the consultative process followed by the government to allay previous concerns about the rules.

Pakistan's broadcast regulator also attempted to formulate plans to regulate streaming TV content on the Internet but its plans were criticised by the digital rights groups111 and thwarted by a Senate panel112.

Coordinated online campaigns during the year targeted human rights defenders, social activists, journalists, political leaders, and media organisations. PTA did little to protect citizens from the harm of these malicious and abusive campaigns. It did, however, launch a crusade against what it considered to be immoral and indecent content on the Internet, issuing notices to social media platforms113, banning and blocking apps114, and pushing pressure on Internet service providers to block the supply of such material through the Content Delivery Networks115.

The regulator temporarily suspended the video-sharing application TikTok, which had been downloaded over 16 million times in the country in 2019116. The ban was lifted when the TikTok administration assured the regulator of taking appropriate measures against indecent and immoral content on the platform117.

PTA's action to suspend the PUBG online game in July led to a huge outcry from the game users in the country, but the authority refused to comply with a court order to remove the ban and only allowed the app back after assurance from the game’s representatives118. The PUBG legal counsel had argued that PTA did not give it a fair hearing before imposing the ban. PTA shared an enforcement order to explain its reasoning behind the suspension119, but the rationale provided by PTA failed to meet international law standards of imposing restrictions on expression and instead exposed the flawed arguments used by the regulator to justify the negative impact of the game’s use on Pakistani youth.

PTA also banned five dating applications120 and temporarily suspended Bigo Live before opening it again121; the charges levelled against these apps were also that they hosted immoral and indecent content. Since the notification of the rules for content regulation, PTA referred to the rules to issue notices to Wikipedia and Google to remove blasphemous content from their platforms122.

The controversial web monitoring system, whose details had first surfaced in 2019123, was deployed in February 2020122. The telecom regulator had claimed that the system will be used not only for curbing grey traffic, but also for Internet content management under PECA13. The lack of transparency surrounding the system’s contract and operations has given rise to concerns it will be used for online activities.

109 See Asia Internet Coalition statements on Pakistan here: https://aicasia.org/category/regions/pakistan/
125 See PTA toward web-monitoring system clarification. Published 26 October 2019. https://twitter.com/PTAofficialpk/status/1187964312003977217
censorship and surveillance of citizens\textsuperscript{126}. The Aurat March, a collection of city-based rallies to celebrate International Women’s Day in Pakistan, was targeted with abuse and vitriol online as early as November 2019 when its organisers had issued a call for volunteers\textsuperscript{127}. Closer to March 8, the harassment and online attacks against women journalists and activists intensified. Journalist Marvi Sirmed who had confronted an abusive and misogynist male playwright\textsuperscript{128} on national television during a debate on women’s day rallies was viciously attacked and doxxed online\textsuperscript{129}. Other female journalists, activists, and social media users who raised their voices about gender equality and women’s rights in relation to the march were similarly trolled and harassed with rape and death threats\textsuperscript{130}. The series of attacks continued until after the International Women’s Day. A Dawn investigation found that coordinated manipulation campaigns on Twitter were mostly run by human users rather than bots and these users often openly claimed they were supporters of nationalist causes and certain political parties\textsuperscript{131}. During the pandemic, cases of cyber harassment against women showed an increase. Digital Rights Foundation noted that the number of complaints received on its cyber harassment helpline jumped in the months after lockdown was imposed in the country\textsuperscript{132}. In April, a private university launched an investigation into a Facebook group run by its male students in which they were involved in sharing sexist and derogatory content that targeted female students at the university\textsuperscript{133}. The ‘Me Too’ movement in Pakistan suffered a setback when the FIA booked nine individuals in connection with the Ali Zafar harassment case\textsuperscript{134}. The social media users were charged with allegedly defaming the singer, against whom several women had levelled credible accusations of sexual harassment. The charges were brought under Section 20 of PECA, which criminalises defamation and carries a maximum jail term of three years.\textsuperscript{134}


\textsuperscript{129} Mansoor, A. "Marvi Sirmed’s private information leaked online". Published 7 March 2020. Samaa. https://www.samaa.tv/infandrystyle/2020/03/marvi-sirmeds-private-information-gets-leaked-online/


7. PLURALISM

The pluralism of the media and expression in the country were largely affected by the lack of independence of public sector broadcasters, the frequent Internet and mobile network shutdowns in the country, and the representation of minority communities on the mainstream media.

7.1 INDICATOR SCORES

These indicators measured the access of citizens to diversity of sources and viewpoints as well as representation in the media and information sectors. The mean score of the indicators was calculated and scaled by a factor of 100 to give 35 points out of 100 for the pluralism dimension. This was the best score out of the six dimensions for the freedom of expression considered in this assessment but still fell in the range of “poor” protections for pluralism and diversity of expression.

The low-scoring indicators included the fair and equal coverage of gender groups and marginalised communities in the media as well as the independence of public-sector broadcasters. It was also found that news organisations are perceived to be lacking in providing equal opportunities to women.

<table>
<thead>
<tr>
<th>Indicator</th>
<th>Question</th>
<th>Score</th>
</tr>
</thead>
<tbody>
<tr>
<td>P1</td>
<td>A small number of media groups own a large number of news and entertainment media organisations</td>
<td>0.2/1</td>
</tr>
<tr>
<td>P2</td>
<td>People have access to a wide variety of news and information that reflects diversity of opinions</td>
<td>0.48/1</td>
</tr>
<tr>
<td>P3</td>
<td>People have access to a wide variety of media and information sources, including TV, radio, print, and Internet</td>
<td>0.65/1</td>
</tr>
<tr>
<td>P4</td>
<td>All media give fair and equal coverage to all genders including women, transgender persons and other gender minority groups</td>
<td>0.26/1</td>
</tr>
<tr>
<td>P5</td>
<td>All media give fair and equal coverage to underprivileged communities and minorities, including ethnic, linguistic, and religious groups</td>
<td>0.24/1</td>
</tr>
<tr>
<td>P6</td>
<td>Citizens have access to media in all local and national languages</td>
<td>0.48/1</td>
</tr>
<tr>
<td>P7</td>
<td>State broadcasters (PTV, Radio Pakistan) are independent from government and political control</td>
<td>0.07/1</td>
</tr>
<tr>
<td>P8</td>
<td>Equal opportunities are provided at news organisations for women to practise journalism</td>
<td>0.26/1</td>
</tr>
<tr>
<td>P9</td>
<td>How frequently does the government shut down or force service providers to shut down Internet service locally or nationally?</td>
<td>0.43/1</td>
</tr>
<tr>
<td>P10</td>
<td>How frequently are dramas, films or art exhibitions in the country banned or censored due to pressure from religious, social or political groups?</td>
<td>0.41/1</td>
</tr>
</tbody>
</table>

The following chart shows the pluralism indicator scores scaled by a factor of 100.

PLURALISM

These indicators cover the aspect of media plurality, with a focus on access and diversity. Pluralism is understood as the ability of citizens to access diverse media and content and the ability of media to represent diverse political, cultural, ethnic, and gender perspectives.

7.2 KEY DEVELOPMENTS

- At least seven instances of temporary network shutdowns were recorded in the country in 2020. These included instances related to religious and political rallies.
- The feature film *Zindagi Tamasha* was barred from public screening due to protests by a religious group despite being passed by the film censor board.135

7.3 DISCUSSION

The Media Ownership Monitor Pakistan states that “broadcast and print media registration laws carry no restrictions on cross media ownership”137. The only safeguard in the broadcast media regulation is the prohibition to own a distribution service licence at the same time as a landing rights permission or broadcast media licence138. The licensing rules allow one company to own up to four satellite TV, four radio, and two landing right licences.

Unlike other countries, Pakistan’s general antitrust law, The Competition Act of 2010, does not specify any limit on cross-ownership of media properties139 and the Competition Commission of Pakistan is not known to have acted against large media groups who dominate the domestic media landscape.

Pakistan has over 80 satellite TV channels currently operating in the country, out of which at least 17 are regional language channels140. PEMRA auctioned 58 new satellite TV channel licences in 2019141 and it has updated its channel list with around 20 new entries142.

Despite this apparent diversity however, one consequence of the non-existence of cross-ownership rules is that the media audience shares are concentrated among few sources. For example, Geo News, the Jang newspaper, and the news websites of Jang and the News International command a slot in the list of top five audience shares in the broadcast, print, and online news media categories respectively138. All four properties are owned by the same media group, which also runs a sports channel, an entertainment network, and a major film production and distribution company. Similarly, other media groups, such as the ARY network, the Dawn media group, the HUM network, and the Express media group, own and operate a range of media properties.

Most legacy news networks operate news websites and maintain an active social media presence. The news websites of prominent TV broadcasters and print publications such as Dawn, Express, ARY, Dunya, and Jang are among the top 50 most visited websites in Pakistan141. But digital-only news publications have also gained popularity in recent years. UrduPoint, an Urdu-language news and information web portal, is ranked among the top 10 most visited websites in the country. Digital news outlets such as Naya Daur, Sujag, and Voicepk, have developed a public-interest niche by reporting on human rights issues, and platforms that provide space for analysis and commentary, such as Humsab, are also increasingly popular. Thirteen independent online news outlets joined hands in 2020 to form an association and endorse a progressive charter that includes a promise to represent Pakistan’s demographic diversity and pluralism144.

The 2020 Aurat March and a September gang-rape incident on the Lahore-Sialkot motorway brought focus on the representation of gender and women in the mainstream media. Observers said the broadcast coverage of the latter incident showed some positives, such as the identity of the survivor was not revealed and the coverage helped open up debate on hitherto taboo topics, but several issues remained, such as the prioritising of the political commentary about the law enforcement’s response rather than conducting substantive conversations on the actual crime and the societal factors that encourage sexual assaults and victim blaming144.

In both cases, the broadcast regulator believed it necessary to intervene. For the Aurat March coverage, PEMRA advised TV channels to refrain from broadcasting “unethical slogans” and “objectionable” content from the rallies, without giving any further details142. PEMRA’s advisory was most likely referring to popular slogans of the women’s day marches from previous years, such as the Mera Jism, Meri Marzi (‘My Body, My Will’) slogan, which had been picked up by mostly male detractors and critics of the women’s movement to level allegations of moral turpitude against the women. For the motorway gang-rape case, PEMRA followed the order of a trial court to ban all coverage of the case reportedly to protect the worth of the prosecution’s evidence and the dignity of the victim144.

Long-standing issues about the mainstream media coverage of ethnic, religious, and other minority groups continued in 2020. Regional leaders of the anti-government opposition alliance got little to no airtime on news channels during the nationwide protest rallies organised by the alliance. The unannounced mainstream media blackout of the activities of the ethnic rights movement based in Khyber Pakhtunkhwa remained in place. The overall representation of religious minorities in the mainstream media was previously found to be low, stereotypical, related to incidents of crime, and non-inclusive144. There was little evidence to challenge this trend in 2020, with major stories about religious minorities in the media being about blasphemy-related accusations and convictions143, acts of violence that infringed upon religious freedom145, and incidents of forced conversions143.

The public broadcasters, Pakistan Television (PTV) and Radio Pakistan, are under government control and PTV is in dire financial straits143. The Pakistan Tehreek-e Insaf (PTI) had promised in its election manifesto to make both broadcasters autonomous144. After assuming power in 2018, the party has not

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137 "Indicators of risk to media pluralism”. Media Ownership Monitor Pakistan. https://pakistan.mom-rsf.org/en/findings/findings/
139 Ibid., footnote 137.
142 Ibid., footnote 140.
146 "Unpacking the media coverage of the Motorway Gang Rape”. Published 16 September 2020. Ukc Research Center. https://www.facebook.com/uksresearch/posts/4435828493155275
Local and temporary mobile network shutdowns were observed in the country on at least seven occasions in connection with: a law-and-order situation in Quetta\(^{158}\), protests near the border crossing at Chaman\(^{159}\), religious processions and activities related to Youm-e-Ali\(^{160}\) and 12 Rabi-ul-Awal\(^{161}\), political rallies in Multan\(^{162}\) and Quetta\(^{163}\), and a religious group’s protest against the French President’s comments about Muslims\(^{164}\). In May, a citizen petitioned the IHC for restoration of mobile Internet services in the districts of Khyber Pakhtunkhwa that were formerly administered by the federal government\(^{165}\). Internet services are unavailable in those parts of the country since 2016\(^{166}\).

Similarly, people in areas of Balochistan where Internet was suspended in previous years reportedly due to security reasons\(^{167}\) remained without connectivity and demanded its restoration during the pandemic\(^{168}\). In May, Twitter users reported the micro-blogging website became unavailable temporarily and digital rights advocates feared it was intentionally blocked\(^{169}\).

Artistic and creative content came under fire in 2020, with the work of several high profile writers and artists affected by censorship and conservative groups. A Case of Exploding Mangoes, the 2008 satirical novel by renowned author and columnist Mohammad Hanif, was translated into Urdu and published by Karachi publishing house Maktaba-e-Danyal in 2019. In January 2020, Hanif tweeted that the publisher’s office was raided\(^{170}\) and 250 copies of the book were confiscated, and later the men who raided the office also took a list of bookstores where the novel was stocked\(^{171}\). Hanif’s novel revolves around fictional events leading to the 1988 plane crash that killed Pakistan’s military dictator Ziaul Haq, who is also a major character in the book.

Separately journalist Suhail Warraich’s collection of previously published opinion pieces, Seh Company Nahi Chalegi, was forcibly removed from bookstores in September\(^{172}\). The objection appeared to be about the book’s cover illustration. The book was later re-published with a new cover image.

In July, the Punjab textbook board banned 100 textbooks in the province for allegedly containing blasphemous and anti-state materials\(^{173}\). Some of these books were reportedly published by international publishers, such as the Oxford University Press and the Cambridge University Press. The board’s chief also said 10,000 textbooks were under review for similar violations\(^{174}\). The Punjab Assembly was forced by public criticism to reconsider\(^{175}\) a controversial bill that would have allowed the department of public relations sweeping powers of censorship over printing and publications in the province\(^{176}\).

Acclaimed director Sarmad Khoosat received death threats after a religious group perceived his upcoming film Zindagi Tamasha to contain allegedly blasphemous material\(^{177}\). According to Khoosat, the film had previously been cleared by Pakistan’s film censor board, which typically does not allow films with religiously sensitive content to be screened. Amid the group’s threats of public protests, provincial governments rushed to block the film’s release, and the religious group called off its protest after the federal government caved in by sending the film for further review by a religious council\(^{178}\).

In July, a Senate panel approved the public release of the film, but its screening was challenged in the Lahore High Court soon after\(^{179}\).

In February, prominent women writers at a panel discussion at the Karachi Arts Council had lamented about the restrictions by PEMRA on strong female characters in dramas serials, indicating that the regulator was not allowing honest conversations about social issues that impede women’s rights and their public participation\(^{180}\). But PEMRA disregarded these opinions and continued to slap warning notices and bans on TV drama serials throughout the year. In August, the PEMRA chairman affirmed the publisher’s access to the internet. In January 2020, Hanif tweeted that the publisher’s office was raided and 250 copies of the book were confiscated, and later the men who raided the office also took a list of bookstores where the novel was stocked. Hanif’s novel revolves around fictional events leading to the 1988 plane crash that killed Pakistan’s military dictator Ziaul Haq, who is also a major character in the book.

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his resolve to bring TV content in line with cultural norms\textsuperscript{181}, and in subsequent correspondence with TV channels PEMRA would reference an 18 August advisory that was not made public but included a final directive about adherence of drama content to Pakistani values\textsuperscript{182}. On September 4, PEMRA banned the repeat telecast of ARY Digital’s \textit{Ishqiya} and Hum Network’s \textit{Pyar Kay Sadqay} alleging that both drama serials contained content against social and religious values\textsuperscript{183}. Six days later, it also banned ARY’s drama serial \textit{Jalan} for violating social and religious mores\textsuperscript{184}; the ban was later stayed by the Sindh High Court\textsuperscript{185}.

In response, TV producers have pointed out PEMRA’s inconsistency and opaque internal decision-making process, which leaves them confused about what it found objectionable\textsuperscript{186}. In December, PEMRA advised the Geo Entertainment TV channel to edit indecent dialogue in a drama serial so that the content falls in line with the broadcasting code of conduct\textsuperscript{187}. PEMRA is perhaps emboldened about such enforcement actions by the public demands from conservative commentators, such as those seen in the case of the Gala biscuit ad controversy\textsuperscript{188} in October, or from the vision of the Prime Minister Imran Khan whose ministers claim he wants authorities to restrict obscene and vulgar content to protect Pakistan’s sociocultural values\textsuperscript{189}.


\textsuperscript{182} PEMRA’s tweet about drama serial ban, published 10 September 2020: https://twitter.com/reportpemra/status/1304039044398092288


\textsuperscript{188} Mirza, K. “PEMRA up in arms over biscuit ad”. Published 7 October 2020. Samaa. https://www.samaa.tv/lifestyle/2020/10/pemra-advisory-gala-biscuit-ad/

8. SOCIOECONOMIC AND POLITICAL SITUATION

The social, economic, and political situation in the country is significant towards building an enabling environment for expression. These factors affect the practice of the right to freedom of expression by citizens.

In 2020, the country’s digital divide was exposed by the Covid-19 pandemic as citizens, especially students, in the remote and rural areas found themselves unable to participate in online activities including learning opportunities and sharing information. Online communities elsewhere continued to mobilise on rights-based concerns and even mainstream political actors relied heavily on the Internet to get their messages across to the public.

8.1 INDICATOR SCORES

These indicators measured the challenges faced by citizens in the exercise of their right to free speech. These indicators also looked at the issues of affordability and infrastructure related to Internet access. The overall score for the dimension was 30 out of 100, representing an overall poor situation with respect to the socioeconomic and political protections for citizens to use their freedom of expression.

Among these indicators, some of the lowest scores were received by indicators that showed that constitutional and legal protections for free expression were not made available to the citizens in practice and the public expression of political opinions was vulnerable to official sanctions or other forms of harm. The indicator scores also showed that Internet access in the country is hampered by infrastructure and affordable Internet is still out of the reach of the masses.

One indicator that contributed positively to the freedom of expression situation for this dimension was the ability of citizens to use online communities to mobilise and organise around a variety of causes. The panel of experts surveyed for the assessment agreed that the Internet was fulfilling this vital sociopolitical role in the Pakistani society.

The chart provides a graphical representation of the indicators, with values scaled by a factor of 100.
8.2 KEY DEVELOPMENTS

- The sedition offence was used to charge politicians and protesters on the basis of their speeches and public protests.
- An opposition senator introduced a private members’ bill in the Senate to remove the sedition offence from the Pakistan Penal Code.

8.3 DISCUSSION

As discussed in the previous chapters, Pakistanis faced several problems in exercising their rights to freedom of expression and access to information. These problems included threats of insufficient clarity in legal protections for free speech, the use of criminal laws to threaten legal action based on social media posts, the digital divide, self-censorship in online and published works due to harassment and intimidation, and the unreasonable acts of regulatory control and censorship.

Citizens and media companies increasingly turned toward the courts to seek relief, such as noticed in the cases related to app bans, FIA summons, and rules for content regulation.

The penal code section related to sedition was used against protesters during the year. At the end of January, an ethnic rights leader was arrested in Peshawar and sent to jail on a 14-day remand for charges that included sedition and criminal conspiracy. He was arrested in connection with a case registered against him in Dera Ismail Khan for issuing alleged anti-state remarks during a gathering there. The ethnic rights movement has demanded rights for the residents of tribal districts ever since the 2018 murder of a Pashtun man in Karachi in an alleged police encounter.

In Islamabad, Member National Assembly Mohsin Dawar and other citizens who were peacefully protesting in front of the press club were detained by police. Twenty-three protesters were charged with sedition that was later replaced by a terrorism charge and sent to jail.

The Islamabad High Court gave orders to release the protesters on post-arrest bail three days later. The district administration later dropped the charges against the protesters. Meanwhile, Karachi police arrested over 30 individuals, who had gathered for planning an event to mark a colleague’s death anniversary, on charges of alleged anti-state speeches.

In June, a People’s Party senator introduced a bill in the Senate to remove the sedition offence from the Pakistan Penal Code. Senator Raza Rabbani noted that the offence was a remnant of British colonial rule and was now being used to persecute political opponents and students.

While the bill’s discussion was pending, Lahore police registered a sedition case against former prime minister Nawaz Sharif and 40 other political leaders for allegedly provoking the public to revolt against the State. The police report also included a cyberterrorism clause from Peca because Sharif had addressed his party workers via the Internet.

Blasphemy allegations reportedly led to at least one death sentence and two murders in 2020. A Lahore court sentenced a Christian man to death for a 2013 allegation of sending a blasphemous text to his factory employer. A man awaiting trial for a blasphemy accusation was shot dead in a Peshawar courtroom.

In November, a security guard in Punjab’s Khushab district killed his bank manager allegedly for committing blasphemy but the victim’s family claimed the guard was motivated by personal grievances and was using the the blasphemy accusation to protect himself from the law.

On the other hand, the Lahore High Court acquitted Sawan Masih of blasphemy charges. Masih had been sentenced to death in 2014 by a lower court. Following the blasphemy accusations against him in 2013 (now ruled as false by the court), a mob had set fire to the Joseph Colony neighbourhood where he lived and razed over 100 houses.

Similarly, a board of clerics intervened on behalf of six illiterate Christian sanitary workers who were accused of committing blasphemy by allegedly throwing away pamphlets that included the name of the Prophet (PBUH) and exonerated them.

Journalist Sajid Hussain’s dead body was found in the Swedish city of Uppsala after he had been missing for two months. Reporters without Borders had expressed concerns about potential foul play but the Swedish prosecution authority closed a preliminary murder investigation about Hussain’s death in July saying it no longer suspected a crime had been committed.

Hussain had received political asylum in Sweden in 2019 after leaving the country due to death threats.

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194 Nauser, T. “This is Pakistan, not India; says IHC chief justice:”. Published 17 February 2020. Dawn. https://www.dawn.com/news/1535032
related to his news work back in 2013.210
In circumstances similar to Hussain’s death, activist Karima Baloch, who was living in exile in Canada, was found dead in Toronto in December.211 She had been missing for two days.
 Citizen journalist and social media activist Arwar Jan Khetran was killed in July in Barkhan;212 Khetran had been writing critical online posts about his area’s elected representative who is also a provincial minister. The minister along with his two guards were booked for Khetran’s murder after his family accused them for the murder.213
In September, young journalist Shaheena Shaheen was shot dead in Balochistan’s Kech district.214 Police initially said it was a case of domestic violence, but human rights advocates stressed that the investigation into Shaheen’s murder should be conducted seriously since Pakistani women journalists are subjected to unfair domestic pressures for having active work lives and the 2019 murder of Arooj Iqbal was similarly motivated.215
Despite threats, different social collectives and political movements used the Internet and social media to mobilise and organise around a variety of causes.
The Soul Sisters Pakistani Facebook group had over 250,000 active members and its founder was able to raise over Rs. 5 million through crowdfunding to continue her web series in which women talk about topics such as cyberbullying and domestic violence.216
On the political spectrum, the online space was used by movements as diverse as the ‘Me Too’ movement, the students solidarity march,217 and the joint-opposition alliance that labelled itself the Pakistan Democratic Movement to launch anti-government protests in 2020.
Pakistan does not have a consolidated Media & Information Literacy policy, even though digital literacy is part of the education policy and students get opportunities to take courses in IT proficiency at different levels of education.
According to the Freedom on the Net report, Pakistan does not currently have any law or policy regarding net neutrality, and the Facebook free-basics programme, available on telecom networks such as Telenor in Pakistan, runs “contrary to the principles of net neutrality and create(s) differential access to content based on income levels.”218
The country showed a 17 percent annual increase in broadband subscribers in 2019-20, slightly down from the 22 percent increase in the preceding year.219 The PTA statistics put Internet penetration at around 40 percent. Only about half of all cell phone subscribers use 3G or 4G Internet.220
Pakistan was ranked 76 out of 100 on the Inclusive Internet Index 2020, which meant it was also among the bottom three countries in Asia on the index.221 The index report stated Pakistan had the “largest gender gaps” for mobile and Internet access among the countries documented and its Internet inclusion performance was affected by low digital literacy and poor network quality.222
The GSMA mobile gender gap report showed the mobile ownership gender gap in Pakistan was 38 percent, the highest in five Asian countries studied for the report.223
The country was ranked 108th and 159th in the world respectively for download speeds on mobile and fixed broadband Internet, according to Ookla’s global index in November.224
Infrastructural limitations and power outages have frequently disrupted Internet availability in the past.225 Cable operators in Karachi went on a symbolic strike in July and shut down Internet and cable TV services for two hours to protest against the electricity supply company’s damage to their infrastructure during regular maintenance work.226
Internet and mobile services were also affected in Karachi in August due to heavy rains and flash floods.227 In September, PTA explained it was not responsible for a recent service disruption.228
The government reduced the import duty on mobile phones by 86 percent in January and approved a mobile manufacturing policy in May that is expected to boost domestic production.229 During the

222 Ibid., footnote 221.
pandemic, PTA requested service providers to launch cheaper Internet packages\textsuperscript{231}.

In December, the Universal Service Fund approved contracts worth Rs. 8 billion to provide broadband services for around six million people in remote areas of Pakistan\textsuperscript{232}.


\textsuperscript{232} Rizvi, J. “USF board okays Rs8b contract for broadband services for remote areas”. Published 21 December 2020. The News International. https://www.thenews.com.pk/print/761941-usf-board-okays-rs8b-contract-for-broadband-services-for-remote-areas

The implementation of Pakistan’s anti-cybercrime law, PECA, has raised concerns about online freedom of expression in the country.

For recommendations about improving PECA and Internet governance, please see Media Matters for Democracy’s policy document

“White Paper on Reforms for PECA 2016”

published in September 2020

http://mediamatters.pk/publications/
9. THREATS TO EXPRESSION

This section provides the quantitative measurements used for the threat indicators and gives an overview of some of the specific instances of threats to freedom of expression not discussed previously.

9.1 INDICATOR SCORES

The indicators and sub-indicators for the threats to freedom dimension are given below. The cumulative score for the dimension was 88, so the resultant dimension of ‘protection from threats’ was calculated to be 12 out of 100 for use in the overall dimension mapping and index calculation as explained in Chapter 2 on the report methodology.

The indicators are plotted in the following chart altogether. Please note that in the threats chart, a higher value represents a worse condition of freedom of expression. The sub-indicators data is shared at the end of this chapter.

9.2 KEY DEVELOPMENTS

- A police investigation found that the death of veteran journalist Aziz Memon was a well-planned murder and arrested three suspects in connection with the killing233. Memon’s dead body was found in an irrigation channel in the Naushahro Feroze district in February 2020234.

- Reporters Saeed Ali Achakzai and Abdul Mateen Achakzai, who had provided critical coverage of the facilities at a quarantine centre in Chaman near the Afghan border, were forcibly detained for three days and tortured by paramilitary force members allegedly at the behest of the district administration for their news reporting235.

9.3 DISCUSSION

For the sake of brevity and because most of these threats have been discussed separately in the preceding chapters in accordance with their thematic connection, the discussion in this chapter is limited to the fatal attacks on journalists and media professionals. Two media professionals each were reported killed in Punjab, Khyber Pakhtunkhwa, Sindh, and Balochistan in 2020.

Abid Hussain236, a reporter for local daily Jurm-o Saza, was shot dead in September in Malakwal, a city in Mandi Bahauddin district237. Hussain and his brother were returning home on a motorcycle when unidentified gunmen opened fire on the journalist near a railway crossing. Hussain’s brother said the firing was in retaliation to a news report published by Hussain238. The journalist died while he was being transported to the district hospital. Malik Nizam Tani, 28, was shot dead by unknown assailants in Qusba Gujrat near Muzaffargarh in the Punjab province in December. He was a reporter for an Urdu newspaper.

Journalist Javedullah Khan, the bureau chief of Urdu daily Ausaf in Swat, was shot dead in February in tehsil Matta of Khyber Pakhtunkhwa’s Swat district239. Journalist Qais Javed, 37, was shot dead by unidentified men on a motorcycle while he was entering his house in Dera Ismail Khan in December240. Javed, who was Christian by faith, ran his own web TV channel Ehdnama and had previously worked as a cameraman for national TV network Geo News241.

In Balochistan, citizen journalist Anwar Jan Khetran, who previously worked for Naveed-e Pakistan newspaper, was shot dead in July, and Shaheena Shaheen, a broadcast anchor and magazine editor, was...
killed in September.\footnote{252}

Aziz Memon, 56, was last seen by a colleague after a news assignment in February before he reportedly left to attend a ceremony at a village 10 kilometres away from Mehrabpur, the city in Sindh’s Naushahro Ferroze district where he lived and worked\footnote{248}. Villagers found his body in an irrigation waterway near the city hours later on the same day; his neck reportedly had an electric wire tied around it and showed signs of strangulation\footnote{244}. Memon worked for the news channel KTN and the Sindhi daily Kawish, and had previously reported receiving threats from a politician in 2019 for his news reporting.

The Sindh chief minister took notice of Memon’s death and ordered an investigation. Three weeks later, a joint investigation team was formed to investigate the alleged murder\footnote{245}. A second post-mortem examination of the journalist’s dead body provided investigators with DNA evidence of one individual, who was reportedly arrested in May and confessed to the crime\footnote{246}. In the confession, the murder suspect also identified his accomplices, two of whom were arrested by police by May. At that time, a police official said Memon was killed due to personal enmity but the journalist’s family rejected this explanation\footnote{247}. Two more suspects were nabbed in June but the murder’s suspected mastermind remained at large\footnote{248}. The arrested suspects were charged toward the end of June but no details were available about the trial proceedings\footnote{249}.

The other Sindh journalist, Zulfiqar Mandhrani, was shot dead in Dodapur town in Jacobabad district in May. Mandhrani called his family for help after his assailants had shot him and left him for dead in an area building. He was found in critical condition with two gunshot wounds to the head and taken to a hospital where he succumbed to his injuries. Police said they arrested two suspects and claimed the murder was an ‘honour killing’\footnote{251}, but Mandhrani’s father said the journalist had received death threats from local drug peddlers and blamed the police of complicity\footnote{252}. Mandhrani worked for Sindhi newspaper Kawasaki\footnote{250}. A local judge in June denied bail to four suspects arrested in connection with the murder\footnote{253} but there were no other details available about the trial proceedings\footnote{254}.

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For more details, please see discussion in Chapter 8: Sociopolitical and Economic Situation.

\footnote{243} Ibid., footnote 234.


\footnote{245} Ibid, footnote 244.


\footnote{250} "Journalist tortured, killed in Jacobabad". Published 27 May 2020. The Express Tribune. https://tribune.com.pk/story/2239866/1-journalist-tortured-killed-jacobabad


\footnote{252} Ibid., footnote 230.


A variety of sources were consulted to collect the statistics for the ‘threats to expression’ dimension. Media Matters for Democracy’s annual media and Internet threat monitoring data was used to for sub-indicators related to the press and digital rights. For journalism-related sub-indicators, monthly and annual reports compiled and published by the Freedom Network and the Pakistan Press Foundation were used to ensure completeness of their acquired statistics. Three databases maintained by Bolo Bhi related to actions taken against online expression were used for the sub-indicators related to legal threats. The social media accounts of affected journalists were also checked to confirm some of these reported instances. For the sub-indicators related to digital threats of cyber crimes, the data from the cyber harassment helpline of the Digital Rights Foundation was relied upon. The digital threat indicators related to content restrictions are limited to two social networks, Facebook and Twitter, and are based on first six-monthly comparisons of their transparency reports. The data of number of blocked websites was derived from the PTA’s reports. Regulatory threat sub-indicator statistics were tallied from the official announcements shared by PEMRA. For all of these sub-indicators, news reports were used either as a means of discovery or confirmation wherever such reports were available in the mainstream media.

For some indicators, such as the coordinated online campaigns, the values might appear too low. This may be because the sub-indicators were framed to include reported instances of these categories and even though anecdotal and experientially the number of such instances might be high, but their public documentation is often sparse. Efforts are being made to keep records of such sub-indicators to improve the statistical validity of the threats data for the next annual report to be issued in 2022. Despite the research team’s best efforts, it is likely that some instances of threats may have been missed inadvertently. Any such error is regretted.

<table>
<thead>
<tr>
<th>Indicator</th>
<th>Sub indicator</th>
<th>2020 value</th>
<th>2019 value</th>
<th>Result</th>
<th>Sub indicator score</th>
<th>Score</th>
</tr>
</thead>
<tbody>
<tr>
<td>Physical Threats</td>
<td>Number of journalists killed</td>
<td>7</td>
<td>6</td>
<td>1.17</td>
<td>1</td>
<td>0.8/1</td>
</tr>
<tr>
<td></td>
<td>Number of other individuals killed for their expression or opinion</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Number of journalists assaulted or attacked</td>
<td>36</td>
<td>32</td>
<td>1.13</td>
<td>1</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Number of other individuals assaulted or attacked in connection with their expression or opinion</td>
<td>1</td>
<td>No data</td>
<td>N/A</td>
<td>N/A</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Number of sexual assaults on journalists</td>
<td>No data</td>
<td>No data</td>
<td>N/A</td>
<td>N/A</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Number of sexual assaults on other individuals in connection with their expression or opinion</td>
<td>No data</td>
<td>No data</td>
<td>N/A</td>
<td>N/A</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Number of journalists tortured</td>
<td>2</td>
<td>No data</td>
<td>N/A</td>
<td>N/A</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Number of journalists kidnapped or missing</td>
<td>5</td>
<td>4</td>
<td>1.25</td>
<td>1</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Number of attacks on media organisations</td>
<td>0</td>
<td>1</td>
<td>0</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>Indicator Sub indicator</td>
<td>2020 value</td>
<td>2019 value</td>
<td>Result</td>
<td>Sub indicator score</td>
<td>Score</td>
<td></td>
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<td>------------------------</td>
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<td>-------</td>
<td></td>
</tr>
<tr>
<td><strong>T2 Legal Threats</strong></td>
<td>Number of defamation cases and notices</td>
<td>13</td>
<td>4</td>
<td>3.25</td>
<td>1</td>
<td>0.83/1</td>
</tr>
<tr>
<td></td>
<td>Number of contempt of court notices against journalists and news organisations</td>
<td>2</td>
<td>0</td>
<td>UNDEF</td>
<td>1</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Number of journalists arrested</td>
<td>10</td>
<td>8</td>
<td>1.25</td>
<td>1</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Number of journalists summoned by law-enforcement agencies for their online expression</td>
<td>8</td>
<td>2</td>
<td>4</td>
<td>1</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Number of warrants issued for the device search and seizure of journalists and human rights defenders</td>
<td>No data</td>
<td>No data</td>
<td>N/A</td>
<td>N/A</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Number of wrongful or criminal cases registered against journalists</td>
<td>11</td>
<td>21</td>
<td>0.52</td>
<td>0.5</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Number of cases registered on the basis of online expression, under special laws</td>
<td>7</td>
<td>16</td>
<td>0.44</td>
<td>0.4</td>
<td></td>
</tr>
<tr>
<td><strong>T3 Economic Threats</strong></td>
<td>Number of journalists and media workers fired from work as persecution for their reporting or in mass layoffs</td>
<td>767</td>
<td>250</td>
<td>3.1</td>
<td>1</td>
<td>0.85/1</td>
</tr>
<tr>
<td></td>
<td>Number of instances of disruption of media distribution systems</td>
<td>2</td>
<td>5</td>
<td>0.4</td>
<td>0.4</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Number of instances of withdrawal or unfair distribution of government advertisements</td>
<td>2</td>
<td>1</td>
<td>2</td>
<td>1</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Number of instances of non-payment of government advertisement dues to media organisations</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Number of media organisations that did not pay or delayed payments of salaries and due to journalists and staff</td>
<td>4</td>
<td>No data</td>
<td>N/A</td>
<td>N/A</td>
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<table>
<thead>
<tr>
<th>Indicator Sub indicator</th>
<th>2020 value</th>
<th>2019 value</th>
<th>Result</th>
<th>Sub indicator score</th>
<th>Score</th>
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<tr>
<td><strong>T4 Digital Threats: Cyber-crimes</strong></td>
<td>Number of reported instances of online harassment</td>
<td>3249</td>
<td>2025</td>
<td>1.6</td>
<td>1</td>
</tr>
<tr>
<td></td>
<td>Number of reported instances of doxing of journalists and other individuals, including public figures, political workers, and human rights defenders</td>
<td>No data</td>
<td>No data</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td></td>
<td>Number of reported instances of online impersonation of journalists through fake accounts</td>
<td>No data</td>
<td>No data</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td><strong>T5 Digital Threats: Surveillance</strong></td>
<td>Number of reported instances of social media monitoring</td>
<td>No data</td>
<td>No data</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td></td>
<td>Number of reported instances of device and data search or confiscation</td>
<td>2</td>
<td>2</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td></td>
<td>Number of reported instances of malware and trojan attacks against journalists and other individuals including public figures, political workers, and human rights defenders</td>
<td>No data</td>
<td>No data</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td><strong>T6 Digital Threats: Content Restrictions</strong></td>
<td>Number of news websites blocked</td>
<td>No data</td>
<td>No data</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td></td>
<td>Number of content removal requests sent by government to social media companies</td>
<td>1341</td>
<td>5773</td>
<td>0.23</td>
<td>0.2</td>
</tr>
<tr>
<td></td>
<td>Number of data requests sent by the government to social media companies</td>
<td>1503</td>
<td>1872</td>
<td>0.80</td>
<td>0.8</td>
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<tr>
<td></td>
<td>Number of the accounts reported or requested to be taken down to the social media companies by the government</td>
<td>4127</td>
<td>4462</td>
<td>0.93</td>
<td>0.9</td>
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<tr>
<td></td>
<td>Content removed by social media companies in connection with court orders</td>
<td>1058</td>
<td>5512</td>
<td>0.19</td>
<td>0.2</td>
</tr>
<tr>
<td></td>
<td>Number of other websites blocked</td>
<td>980000</td>
<td>900000</td>
<td>1.09</td>
<td>1</td>
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<tr>
<td>Indicator</td>
<td>Sub indicator</td>
<td>2020 value</td>
<td>2019 value</td>
<td>Result</td>
<td>Sub indicator score</td>
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<td>-----------</td>
<td>------------------------------------------------------------------------------------------------</td>
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<td>--------</td>
<td>---------------------</td>
</tr>
<tr>
<td>T7</td>
<td>Extra-judicial Threats</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Number of summary executions connected with expression</td>
<td>No data</td>
<td>No data</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td></td>
<td>Number of arbitrary detentions</td>
<td>23</td>
<td>3</td>
<td>7.7</td>
<td>1</td>
</tr>
<tr>
<td></td>
<td>Number of enforced disappearances connected with expression</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>T8</td>
<td>Regulatory Threats</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Number of regulatory fines or suspensions on news organisations</td>
<td>11</td>
<td>2</td>
<td>5.5</td>
<td>1</td>
</tr>
<tr>
<td></td>
<td>Number of regulatory fines or fines on journalists and anchorpersons</td>
<td>1</td>
<td>2</td>
<td>0.5</td>
<td>0.5</td>
</tr>
<tr>
<td></td>
<td>Number of show-cause notices issued to media organisations by regulators</td>
<td>10</td>
<td>18</td>
<td>0.56</td>
<td>0.6</td>
</tr>
<tr>
<td>T9</td>
<td>Threats posed by coordinated online campaigns</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Number of reported instances of digital coordinated smear campaigns launched against journalists and other individuals including public figures, political workers, and human rights defenders as well as organisations (including media outlets)</td>
<td>13</td>
<td>4</td>
<td>3.25</td>
<td>1</td>
</tr>
<tr>
<td>T10</td>
<td>Other Threats</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Number of journalists or other individuals forced into exile to escape persecution for their expression</td>
<td>No data</td>
<td>No data</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td></td>
<td>Intimidation or verbal threats of harm against journalists</td>
<td>32</td>
<td>26</td>
<td>1.23</td>
<td>1</td>
</tr>
<tr>
<td></td>
<td>Number of reported instances of inflammatory public statements issued against the press by politicians and public figures</td>
<td>1</td>
<td>No data</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td></td>
<td>Number of reported instances of bans, regulatory advice or calls for bans or regulation of speech and artistic content on the grounds of immorality or decency</td>
<td>11</td>
<td>10</td>
<td>1.1</td>
<td>1</td>
</tr>
<tr>
<td></td>
<td>Number of Internet and mobile network shutdowns</td>
<td>9</td>
<td>7</td>
<td>1.29</td>
<td>1</td>
</tr>
</tbody>
</table>
10. RECOMMENDATIONS

The study presents the following recommendations to improve the situation of freedom of expression in Pakistan in 2021.

FOR THE LEGAL ENVIRONMENT

1. The Parliament should formally acknowledge that the constitutional rights of freedom of speech and access to information are equally applicable on the Internet in Pakistan.

2. The government and opposition political parties should work with media stakeholders to ensure passage of the journalists’ safety bill in 2021 and supervise its effective implementation.

3. The legislators should amend the regulatory laws to grant independence and autonomy to the broadcast media and Internet regulators. The appointments procedure for the regulators should involve public scrutiny and parliamentary supervision.

4. The government’s power to give directives to the regulator on policy matters should be amended to advisory capacity and the scope of the advice should be limited so as not to infringe on constitutional provisions. In disputes regarding whether a matter is of policy or not, the courts should have the final decision-making authority.

5. The government should withdraw the rules for online content regulation and initiate a fresh consultative process with credible stakeholders to determine the scope, objectives, nature, and mechanism for restrictions on online content.

FOR PRESS FREEDOM

1. The government should release pending advertisement dues to the media organisations and ensure that these funds are immediately used to pay delayed salaries of journalists and media workers.

2. PEMRA should refrain from using its licensing terms and the broadcasting code as tools of censorship. The legislators should explore a co-regulatory approach for broadcast regulation.

3. The government should tackle impunity in crimes against journalists and ensure that crimes committed against journalists are investigated properly and brought to trial.

4. The government should immediately take notice of the demands of Pakistani women journalists regarding online harassment campaigns and work with women journalist representatives to ensure the digital safety of the journalists.

FOR DIGITAL EXPRESSION

1. The legislators should introduce amendments in PECA to repeal Section 37 and pave the way for a fresh and improved Internet governance framework for the country.

2. The government should develop educational programmes to inform citizens about ways to improve their digital safety and their level of protection against cyberbullying and harassment.

3. Courts should ensure that FIA does not resort to intimidating tactics during its investigations of speech-related cyber offences and provide sufficient opportunities for defence.

4. The FIA must submit regular performance reports to Parliament and introduce transparency by developing a digital complaints management system to help citizens see the progress on their complaints.
APPENDIX A SURVEY QUESTIONNAIRE

This survey is part of a research to ascertain the state of freedom of expression in Pakistan.

Respondent Details: These details will be kept anonymous and confidential.

Name:

Category of work: Media / Politics / Human Rights Advocacy / Law / Academia / Other

Legal Environment:
1. Restrictions on freedom of expression are clearly defined in the Constitution or other laws, with safeguards provided for necessity of legitimate action and proportionality

Strongly Agree (SA)  Agree (A) Neither agree nor disagree (N) Disagree (D) Strongly Disagree (SD)

2. Restrictions on online freedom of expression are clearly defined in cyber laws, with safeguards provided for necessity of legitimate action and proportionality

SA;  A;  N; D; SD

3. The process for licensing and registration of private media outlets is transparent, fair, and impartial

SA;  A;  N; D; SD

4. Regulatory bodies for media and the Internet operate freely and independently

SA;  A;  N; D; SD

5. Courts exercise impartiality and independence in judging cases concerning expression of citizens and the media

SA;  A;  N; D; SD

Press Freedom
6. How frequently are journalists in the country subjected to threats, intimidation, and attacks?

Never; Rarely; Sometimes; Often; Always

7. How frequently are perpetrators of crimes against journalists brought to justice?

Never; Rarely; Sometimes; Often; Always

8. How frequently are journalists subjected to legal action based on their work or online expression under the laws and regulations related to media, defamation or cybercrimes?

Never; Rarely; Sometimes; Often; Always

Digital Expression
14. How frequently are Internet users subjected to civil or criminal cases for their online expression?

Never; Rarely; Sometimes; Often; Always

15. How frequently are Internet users subjected to extrajudicial intimidation or violence for their online expression?

Never; Rarely; Sometimes; Often; Always

16. Are Internet users subjected to harassment, hate speech, coordinated digital attacks, and other forms of cybercrime for their opinions and expression online?

Not at all; To a small extent; To some extent; To a great extent; To a very great extent

17. Internet users avoid sharing opinions on certain topics, including political, social, and religious issues, online out of fear of negative consequences

SA;  A;  N; D; SD

18. Does the State monitor the Internet and social media activity of users?

Not at all; To a small extent; To some extent; To a great extent; To a very great extent

19. The government follows a fair and transparent process for blocking or removal of websites and online content

SA;  A;  N; D; SD

20. Effective systems for complaints and appeals exist for online users who are targeted by cybercrimes or affected by content removal

SA;  A;  N; D; SD

21. How frequently do governments or private actors employ or provide ideological support to individuals or automated systems to run coordinated propaganda or hate campaigns on social media?

Never; Rarely; Sometimes; Often; Always

Socioeconomic and Political Situation
32. Are constitutional rights and legal protections for freedom of expression and access to information ensured in practice?

Not at all; To a small extent; To some extent; To a great extent; To a very great extent

33. Laws that include opinion crimes are used in practice to punish citizens based on their expression

SA;  A;  N; D; SD

34. Citizens, including political leaders and human rights defenders, are targeted by government and private actors for their political expression online and offline

SA;  A;  N; D; SD

35. Online communities use the Internet to organise campaigns and launch protests around political, social, cultural or economic issues

SA;  A;  N; D; SD

36. The ability of citizens to access high-speed Internet is limited by poor infrastructure

SA;  A;  N; D; SD

37. Internet access is affordable for large segments of the population

SA;  A;  N; D; SD

38. Media and Information Literacy is a part of government policy, and media literacy skills are delivered through the education curriculum

SA;  A;  N; D; SD

39. People trust the media for coverage of issues of public importance

SA;  A;  N; D; SD

40. Sufficient training opportunities are available for the professional development of local journalists

SA;  A;  N; D; SD
ABOUT MEDIA MATTERS FOR DEMOCRACY

Media Matters for Democracy works to defend freedom of expression and digital rights in Pakistan. We undertake various initiatives including research and capacity building training to work towards a future with an inclusive and independent media and cyberspace in Pakistan where citizens and journalists can express themselves and share news and information without fear of harm.

ABOUT CIVIL SOCIETY FOR INDEPENDENT MEDIA AND EXPRESSION (CIME)

The CIME initiative intends to enhance the protection of the right to freedom of expression and the right of access to information in Pakistan by increasing the availability of knowledge on policy trends related to these rights, raising awareness about practical challenges, and building capacity of civil society stakeholders to respond to rights violations. CIME is undertaken by the Centre for Peace and Development Initiatives with partner organisations Media Matters for Democracy and the Pakistan Press Foundation, with support from the European Union.
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