

FREEDOM OF EXPRESSION IN PAKISTAN

Issue of Safety of Journalists and Impunity for crimes against journalists

Pakistan noted following recommendation 152.178 made by Austria in Cycle 3:

“Introduce strong legislation prohibiting attacks against journalists, effectively investigate such acts and prosecute the perpetrators, as previously recommended”

□ **New Development:**

Pakistan has enacted protection of journalists and media protection laws in 2021 at the federal level and in the province of Sindh. However, intimidation and attacks on journalists continued at alarming level as did the near absolute levels of impunity for crimes against journalists.

□ **New Need:**

Despite their passage over a year ago, these laws remain ineffective because neither the federal nor the provincial government has constituted commissions for protection of journalists as is required under these laws.

Recommendations – Safety of Journalists and Impunity for crimes against journalists

- As required under the media protection laws that were enacted in 2021, the federal and Sindh provincial governments should immediately constitute commissions for the protection of journalists and media professionals as these commissions are key to monitoring investigation and prosecution of cases of violence against media and reducing the impunity for violence against media.
- Only one province has enacted the protection law. Other three provinces and two territories administered by the federal government must also enact similar laws.

Issue of Online Freedom of expression

Pakistan noted the following recommendation 152.172 by Australia in UPR Cycle 3:

“Take steps to protect freedom of expression, including online freedoms”

□ **New Developments:**

Online speech, intimidation of journalists, especially women journalists, through legal actions and abusive trolling has continued to be a challenge.

The Islamabad High Court has also overturned attempts to further limit online freedom of expression through amendments in the Pakistan Electronic Crimes Act 2016 (PECA), this law continues to be used to silence journalists in Pakistan

□ **New Need:**

PECA particular Section 37 relating to the blocking and regulating of online content on social media forums needs to be amended in line with the international best practices and is in accordance with the principles of reasonability and proportionality.

Recommendations – Issue of Online Freedom of expression

- The government must review the Pakistan Electronic Crimes Act 2016 (PECA), to ensure that the law does not lead to silencing of journalists, activists, and political speech.
- Government should establish an oversight and accountability mechanism to review the conduct of Federal Investigation Agency (FIA) and Pakistan Telecommunication Authority (PTA) to ensure that they don't abuse the power given to them under PECA.

Issue of Right to Information

□ **New Developments:**

Right to Information (RTI) laws have been enacted at both Federal (2017) and Provincial Levels (Punjab and Khyber Pakhtunkhwa 2013, Sindh 2017, Balochistan 2021). However, RTI laws have not been enacted in the territories of Gilgit Baltistan and Azad Kashmir

However, there are questions about the empowerment, powers, efficiency and performance of public information officers and the information commissions. The provinces of Sindh and Balochistan continue to suffer from serious implementation challenges in implementing the constitutional right of access to information.

□ **New Needs:**

The federal and provincial governments need to devote resources and develop capacity of officials to proactively disclose information and to promptly respond to requests for information.

Recommendations – Issue of Right to Information

- Federal and provincial governments of Sindh and Balochistan must appoint and notify Public Information Officers (PIOs) in all departments without delay as required under the RTI laws.
- Effective right to information laws need to be enacted in the territories of Gilgit Baltistan and Azad Jammu and Kashmir without delay

Thank You!

From all the members of our coalition

Submitting Organizations:

- ❑ Centre for Peace and Development Initiatives (CPDI)
- ❑ Pakistan Press Foundation (PPF)

In Coalition with:

- ❑ Association of Women for Awareness and Motivation (AWAM)
- ❑ Children Rights Defence
- ❑ Collective Pakistan
- ❑ Dera Ismail Khan Press Club
- ❑ Editors for Safety (EfS)
- ❑ Femonics Pvt Ltd.
- ❑ Global Educational, Economic & Social Empowerment
- ❑ IRIS Welfare Trust

Thank You!

From all the members of our coalition

- ❑ Karachi Press Club
- ❑ Karachi Union of Journalists (KUJ)
- ❑ Media Matters for Democracy (MMfD)
- ❑ Multan Press Club
- ❑ Nawabshah Press Club
- ❑ Pakistan Federal Union of Journalists (PFUJ)
- ❑ Parliamentarians Commission for Human Rights (PCHR)
- ❑ Social Uplift of Nowshera
- ❑ The Truth International
- ❑ Tribal Development Network

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