

**Pakistan Press Freedom Report  
Issued by Pakistan Press Foundation  
On  
World Press Freedom Day 2016**



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Pakistan witnessed worrying new trends and practices that can have serious consequences on freedom of expression and safety of media in the country. These include aggressive system of editorial advice to television channels by Pakistan Electronic Media Regulatory Authority (PEMRA); legal action prohibiting speeches and interviews of the leader of a major political party; failure of the judicial commission to fulfil its mandated responsibility to identify culprits and fix responsibility for the murderous attack on popular television talk show host Hamid Mir; passage of the cyber crimes bill by the National Assembly that could be used to curtail free expression; and the banning of movie “Maalik”.

There were also a number of positive developments related to freedom of expression and safety of media in Pakistan. These included, lifting of the ban on YouTube after three years, creation of “Editors for Safety (EfS)”, the decision of the Sindh Police to reinvestigate the killing of journalist Shan Dahar in Larkana District and the conviction of the killer of Khyber Pakhtunkhwa journalist Ayub Khattak.

### **PEMRA’s aggressive stance against editorial independence of television channels**

The process of taming television channels that started in 2014 after the murderous attack on Geo Television talk show host Hamid Mir continues unabated, with PEMRA issuing directives that impinge on editorial independence of Pakistan’s television news channels.

On February 29, 2016 PEMRA delegated to its chairman the authority to instantly shut down any channel violating the PEMRA Code of Conduct that all television channels have signed while getting the broadcast licenses.

PEMRA also took notice of what it called exaggerated coverage of protests by political and religious parties, which it said were attempts to create panic in the society. PEMRA also accused television channels of fanning sectarianism and intolerance through their analyses and tickers. PEMRA warned that such activities were working against the National Action Plan (NAP) to combat terrorism and especially the ongoing Zarb-e-Azb military operation against militancy and terrorism in Federally Administered Tribal Areas (FATA).

PEMRA also warned television channels that it would take notice of derogatory language against different institutions and personalities and unsubstantiated allegations against elected representatives and politicians.

### **PEMRA directs television channels not to criticize Saudi Arabia and other countries**

In May 2015 PEMRA directed TV news channels not to air programmes that might harm Pakistan's relations with friendly countries. This directive was issued to quell discussions in the media after Pakistan's refusal to send ground forces to Yemen as part of a Saudi-led coalition against the uprising there. PEMRA considered candid discussions on this vitally important foreign policy decision as attempts to create a negative perception of friendly countries among the masses.

PEMRA again warned of strict action against television stations that criticized Saudi Arabia's handling of the tragedy on September 24, 2015 in Mina during the Haj pilgrimage, in which many Pakistani citizens died. On October 1, 2015, PEMRA noted that television channels were airing programmes on Mina accident and indirectly accusing Saudi Arabia of mismanagement. It quoted the Article 19 of Pakistan's Constitution which restricts comments that may affect relations with friendly countries.

On January 26, 2016 PEMRA advised television channels to remain cautious while addressing the issue of the execution of a prominent Shia cleric Sheikh Nimr al-Nimr in Saudi Arabia, which in turn resulted in heightened tensions between Saudi Arabia and Iran.

### **PEMRA restricts coverage of the funeral of Mumtaz Qadri, convicted and executed for murder of Punjab Governor Salman Taseer**

On 29 February 2016 television channels restricted televising protest rallies and sit-ins in major cities across Pakistan against the execution of Mumtaz Qadri convicted for murder of Punjab Governor Salman Taseer. Qadri had shot and killed Taseer in 2011 because the latter opposed and criticized blasphemy laws in Pakistan. It is believed that television channels were asked by Pakistan Electronic Media Regulatory Authority (PEMRA) not to highlight the protest rallies. The advisory issued by PEMRA the same day asked the channels to follow the code of conduct and avoid telecast of such programmes that can spread sectarianism and create unnecessary sensationalism and chaos.

The Pakistan Federal Union of Journalists (PFUJ) termed the restrictions on media to cover funeral of Mumtaz Qadri as violation of Article 19 of the Constitution and said PEMRA had damaged the reputation of independent news media in the country. Speaking at a meeting, jointly held by the PFUJ, Rawalpindi-Islamabad Union of Journalists (RIUJ) and National Press Club (NPC), PFUJ President Afzal Butt said if PEMRA had allowed the media to cover funeral of Mumtaz Qadri, professional journalists would have done it responsibly without creating any chaos or damaging media credibility. He added "Our media realizes its responsibility, and the government should leave such affairs to the professional journalists who better know what should be made public or not."

The awkward and ineffective actions by PEMRA to restrict media coverage also jeopardized the safety and security of media institutions and professionals.

### **Ban imposed on media coverage of Altaf Hussain, chief of MuttahidaQaumi Movement (MQM)**

On September 7, 2015 Lahore High Court (LHC) banned the broadcast or publication of images and speeches of Muttahida Qaumi Movement (MQM) chief Altaf Hussain. MQM is the fourth largest political party in the National Assembly and second largest in the Provincial Assembly of Sindh province.

The court directed PEMRA and the Press Council of Pakistan to implement the ban on media coverage. Since then speeches, comments, interviews and statements of Hussain have not been covered in the Pakistani media.

### **Report of Hamid Mir Commission a setback for efforts to combat Impunity for crimes against media**

Another setback for efforts to combat impunity for crimes against media was the report of “Commission of Inquiry Regarding Incident of Firing on Hamid Mir”, which was leaked on April 8, 2016.

The report displayed a depressing failure on part of the commission in fulfilling its responsibilities, which included ascertaining facts, identifying culprits and fixing responsibility for the murderous attack on ‘Geo News’ television channel’s popular news anchor and talk show host Mr. Hamid Mir, and making recommendations to prevent such attacks in future.

The judicial commission was set up by the government in response to national and international furor over the firing on April 19, 2014 in Karachi at Mir, who received six bullet wounds and narrowly escaped death.

The commission, which comprised three justices of the Supreme Court, rejected allegations that Inter-Services Intelligence (ISI) was involved in the firing at Mir but it failed to fix responsibility or identify culprits responsible for the attack.

Although the report criticized the “complete failure on the part of all the law enforcing agencies in the performance of their duty to properly investigate” the case, the commission itself fared no better in identifying the perpetrators of this crime.

The leaking of the report rather than its official release made it difficult to have informed debate on the report dealing with safety of media professionals. The government should confirm that leaked report is authentic, and release all annexures and appendixes, including statements by Mir and other witnesses.

The commission did not make recommendations to prevent such attacks in future, but supported the recommendations made by the commission constituted to probe into the murder of journalist Saleem Shahzad in 2011 and of the working group of Pakistan Coalition on Media Safety

(PCOMS) that called for the appointment of special prosecutors to investigate crimes against media.

### **Approval of Cyber Crimes bill in National Assembly**

Cyber activists have warned that the Prevention of Electronic Crimes Bill was passed in the National Assembly on 13 April, 2016 could be used to limit free expression in Pakistan's cyber space.

Critics feel that the bill, which deals with a range of cyber crimes including online harassment and terrorism, is too vague and gives authorities wide powers to monitor, censor and punish. One example of this is the proposed sentence of up to three years imprisonment and a fine for "creating a website for negative purposes."

Out of the total of 342 members of the National Assembly, only 30 were present when the bill was passed, which shows the lack of interest among legislators on the issue of cyber regulation. The bill will now move to the senate where some senators have promised to address the deficiencies in the bill.

### **One feature film and two documentaries banned within a week**

In an absurd attempt at political correctness, the federal government on 27 April 2016 banned the movie *Maalik* that had been playing in cinemas nationwide since April 8. The Central Board of Film Certification (CBFC) declared the film as being "uncertified" and prohibited its screening throughout the country.

There is no justification in banning content it is not prohibited by law and does not incite violence. The fact that the story - of a guard who shoots a corrupt feudal chief minister - may have touched raw nerves and have been considered offensive by some, is not nearly enough to ban the movie.

On April 21, the CBFC banned the documentary film 'Besieged in Quetta' and said it was 'unsuitable for public exhibition'. The Censor Board said the film, which was produced and directed by Asif Ali Mohammad promoted 'ethnicity and sectarianism' and presented a 'negative image of Pakistan'.

On October 25, the CBFC banned the documentary 'Among the Believers' which was produced by Hemal Trivedi and directed by Mohammed Naqvi. The reason given by the Censor Board was similar in that it claimed the film presented a 'negative image of Pakistan in the context of the ongoing fighting against extremism and terrorism'.

The two documentaries, which were to be screened at the The FACE Film Festival in Islamabad April 29-30, have already been screened internationally, including the Tribeca Film Festival.

CBFC hardline policy in defining what is acceptable could also have serious negative repercussions for revival of Pakistan's nascent film industry.

### **Violence against media continues**

Meanwhile violence against media continues. As detailed in PPF's *Pakistan Media Safety Report 2015*, two media personnel were killed, while six others were injured and many were manhandled during 2015. In the first four months of 2016, twelve media personnel were injured in three different incidents.

Seven journalists were injured in a baton charge by police on 2 February 2016 while covering protests against the planned privatization of the state owned Pakistan International Airlines (PIA). Shafi Dilshad, cameraman of 'Dawn News' television channel suffered a fracture of his hand and Rizwan Tabassum, photographer of Agence France Presse (AFP) news agency had his foot fractured. Others injured were Muhammad Hanif Umer, cameraman of 'ARY News' television channel; Naveed Kamal, reporter of 'Dunya News' television channel; Rafiq Hassan, cameraman of 'Express News' television channel; Amjad Iqbal, cameraman of 'Waqt News' television channel and Samar Abbas, reporter of 'Channel 92' television channel.

On 4 March, 2016, activists of religious parties protesting the execution of Qadri attacked the offices of television channels, press clubs and assaulted media crews for not covering protests and funeral of Qadri. 'Aaj News' television channel's offices Karachi and Lahore were attacked and the news gathering vans of 'Aaj News' and 'Express News' TV channel were damaged in stoning by the protesters.

The same day activists of religious parties also attacked Hyderabad Press Club and injured Qasim Khan, cameraman of '92-News' Niaz Vighio, reporter of daily *Mehran*; Faheem Babbar, reporter of 'Sindh TV'; and Farhan Khan photographer of Associated Press of Pakistan news agency. They also set fire to computers, equipment and furniture of the press club.

On March 27, 2016, Anjuman Talba-i-Islam (ATI), the student wing of religious party JamiatUlema-i-Pakistan - Noorani gathered outside the Karachi Press Club (KPC) to protest the execution of Qadri and attacked at press club. They threw petrol bombs and pelted the building with stones. They used abusive language about media for not giving coverage to Qadri's funeral.

The Islamabad office of 'ARY News' television channel was attacked by ISIS on 13 January, 2016, when two masked men threw an Improvised Explosive Device in the premises, injuring Non-Linear Editor, Umar Hayat. They also threw pamphlets claiming to be IS -Afghanistan group.

### **Positive Developments**

There were also a number of positive developments related to freedom of expression and safety of media in Pakistan. These included, lifting of the ban on YouTube after three years, creation of



“Editors for Safety (EfS)”, the decision of the Sindh Police to reinvestigate the killing of journalist Shan Dahar in Larkana District and the conviction of the murderer of Ayub Khattak.

### **Ban on YouTube lifted after three years**

The Government of Pakistan on January 17, 2016 lifted the ban on YouTube after more than three years and directed internet service providers to unblock the video sharing website.

The website was banned by PTA on September 17, 2012 in Pakistan after an anti-Islam film "Innocence of Muslims" was uploaded on the website. This led to violent protest demonstrations across the country.

The unblocking became possible after Google launched a localized version of YouTube in Pakistan, which did not feature any of the controversial content. In reply to a Supreme Court petition on the YouTube ban, PTA said that Google and PTA had both verified that this version of the website does not contain any known copies of the offending material.

If any copy appears on the website in the future, Google has "provided an online web process through which requests for blocking access to the offending material can be made by PTA to Google directly and Google/YouTube will accordingly restrict access to the said offending material for users within Pakistan", the PTA said.

### **Creation of Editors for Safety**

Launched in December 2015, the Editors for Safety (EfS) initiative has improved news coverage of violence against Pakistani media professionals. Comprised of the country's leading editors, news directors, publishers, and media owners, EfS's philosophy is that an attack on one media professional or organization should be considered an attack on the entire Pakistani media.

Thus, editors and news directors of leading newspapers and television channels came to the conclusion that, despite their different editorial lines and the fact that competing in a difficult market led them to disagree on many issues, they could agree on the common goal of responding to the growing threats against them.

In a break from previous norms, television channels and newspapers now routinely highlight attacks on other organizations and journalists, regardless of the outlet.

A major success has been real-time coordination of editors and directors whenever journalists are attacked or threatened. A powerful example of this was when an editor sent a message to the group that armed men had broken into the house of journalist Afzal Mughal in Quetta and abducted him after kicking and punching him in front of his wife and children. The media responded within minutes with breaking news, tickers, and updates and within hours, Mughal was released and back with his family.

One area of weakness is the lack of follow-up coverage of cases of violence against journalists. After the initial media attention, which usually lasts about a week, cases are typically forgotten, with no coverage of investigations or prosecutions in the courts. Thus, the authorities feel little pressure to bring the perpetrators to justice. One of the goals of EfS is to ensure that sustained coverage can place pressure on authorities to address this growing impunity.

### **Re-investigation of journalist's murder case**

Police in the province of Sindh reopened investigations into the murder of Shan Dahar, bureau chief of Aab Takk television channel in Larkana. Dahar was murdered on 1 January, 2014, in town of Badah in Larkana.

Riaz Khushk, brother-in-law of Dahar had on January 1, 2014 registered a criminal complaint (First Information Report or FIR) of his murder. However, the police investigators ignored the FIR and concluded that Dahar was killed accidentally by areal shooting of New Year's Eve. Fouzia Dahar, sister of slain journalist and other family members rejected the police investigation report and continued to maintain Dahar was murdered for his reporting. Shan Dahar was also the recipient of the PPF Press Freedom Award for 2014.

On 14 January, 2016, Chief Minister of Sindh Syed Qaim Ali Shah informed media of the investigation of the murder of Dahar was underway and perpetrators would be brought to justice. The Deputy Inspector General of Police, Abdullah Shaikh in Larkana ordered the re-investigation of the case and has assigned Superintendent of Police (SP) headquarter Tauqeer Naeem to re-investigate the case.

### **Murderer of a journalist convicted**

On March 16, 2016, Aminullah was convicted for the murder of journalist Ayub Khattak and awarded life imprisonment and fine of 5 million rupees (US \$ 50,000) by District and Sessions Judge in Karak, a district of Khyber Pakhtunkhwa. This marks only the fourth conviction in Pakistan for the murder of a journalist.

Khattak, a reporter of *Karak Times* was shot dead outside his home on 11 October, 2013 for publishing news against the drug mafia in the district. Mukhtiar Khan, brother of slain journalist accused that Aminullah and Khoob Niaz had shot Khattak because they were involved in drug business and were unhappy with the story of Khattak. They had earlier given death threats to the journalist. Aminullah was convicted while Niaz was acquitted for lack of evidence.

The other three convictions are for the murders of American journalist Daniel Pearl of *Wall Street Journal* who was kidnapped and murdered in 2002, Wali Khan Babar reporter of 'Geo News' television channel murdered in 2011 and Abdul Razzak Johra, reporter of 'Royal TV' murdered in 2008.





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