

**Pakistan Press Freedom Report
Covering the Period
January 1, 2016 to April 30, 2017**

Released by
Pakistan Press Foundation



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On May 3, 2017
To commemorate the
World Press Freedom Day

Overview:

The legal, political and policy environment for media continued to deteriorate for Pakistani media during the period covered by this report. Media professionals also continued to face violence and threats of violence while those that attacked journalists enjoyed impunity from prosecution.

As the elections approach and political parties, including those in the national and provincial governments have whipped up dangerous rhetoric against mainstream media accusing them of condoning blasphemy and of acting against national aspirations and interests.

Harassment of women media professionals remains endemic and media houses and representative industry organizations remain apathetic to seriously addressing the safety issues of female staff members. This is evident from the fact that only a handful of media houses implemented even the minimum safety mechanisms of Protection of Women against Harassment at Workplace Act 2010, all organizations in Pakistan are legally required implement.

The actions of the government, parliament as well as the judiciary seemed to indicate that all branches of state are determined to control the media, rather than promoting a safe and secure environment for the growth of a pluralistic democratic media institutions.



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Legal Environment

Draft “Journalists Welfare and Protection” bill

One example of cynical state response the deplorable safety environment is the draft “Journalists Welfare and Protection” bill which does not effectively address the issue of safety or impunity, but instead imposes significant restrictions on media freedom and independence.

Section 6 of the draft bill requires media organizations to get approval from the government before deputing a journalist for duty in a sensitive area. Section 12 of the draft bill gives government the authority to ban media organizations for up to three months and to impose fines of up to twenty million Pakistani Rupees (about USD190,000) in a case of violation.

The bill is effectively silent on measures the governments at federal, provincial and local level will take to ensure proper investigation and prosecution of cases of violence against media and holding those in authority responsible for impunity for such crimes.

Prevention of Electronic Crimes Act 2016

On August 11, 2016, the parliament passed the “Prevention of Electronic Crimes Act (PECA) 2016” that places onerous restrictions on online expression and increases the online surveillance which could potentially have a chilling effect on freedom of opinion and expression. The law was passed without substantive and effective input from civil society stakeholders and the process was characterized by a lack of transparency.

The language of the act and it gives powers Pakistan Telecommunication Authority (PTA) authority to block online material and to issue guidelines to internet service providers without judicial oversight or transparent guidelines of process. PECA could have the effect of restricting encryption tools, thereby removing a vital safety tools for media professionals.



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Actions by Courts

Journalist sentenced under the Anti-Terrorism Act for defamation.

Contrary to global efforts to decriminalize defamation, Pakistan took a giant regressive step by using the Anti-Terrorism Act to jail journalists for defamation. The use of anti-terrorism courts for a case involving defamation makes the enforcement of an already problematic law even more draconian.

In January 2017, journalists Akhlaque Jokhio and Qurban Ali Gadahi faced criminal defamation charges under the Penal Code in front of an Anti-Terrorism Court (ATC). On 19 March 2017, a reporter of Mehran TV channel was charged under Anti-Terrorism Act on the complaint of a school head master and teachers.

Regulatory and Policy Environment

The Pakistan Electronic Media Regulatory Authority (PEMRA)

The Pakistan Electronic Media Regulatory Authority (PEMRA), has dramatically increased the intensity and frequency of punitive measures against television channels.

According to a report submitted to the Islamabad High Court by PEMRA Chairman Absar Alam, the authority had issued 166 show cause notices to private television channels over violations of ethical codes. The court was told that the regulator had taken 380 actions against private television channels for airing “unethical” and “unsuitable” programmes.

The PEMRA report said the authority imposed fines of over 70 million rupees (US\$ 650,000) on 50 channels from December 2015 to April 2017. During that period, the authority also suspended the transmission of six television channels: Channel 24, Neo TV, Din TV (thrice), Silver Screen and Urdu-1. PEMRA also prohibited nine anchorpersons from appearing on eight TV channels.

Pakistan Telecommunication Authority (PTA)

In a report submitted to the Supreme Court in January 2016, the Pakistan telecommunication Authority (PTA) submitted it had blocked about 84,000 websites containing objectionable contents while 400,000 obscene websites have been circulated to all the Internet Service Providers for blocking on domain level.



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PTA has also blocked 937 Uniform Resource Locators (URLs) and 10 websites of banned organizations for abuse of Internet and social media. Numerous blogs such as “Khabaristan Times” have also been blocked without following due process of law.

Central Board of Film Censors (CBFC)

The Censor Board (CBFC), constituted under the Motion Pictures Ordinance of 1979, has broad powers to block the distribution of films, raising freedom of expression concerns. Three movies were banned by CBFC in 2016.

The movie *Maalik* which was released on April 8, 2016 was banned on April 26, 2016 by the Sindh government in the province because the movie depicted the fictitious Chief Minister of Sindh of being corrupt and depraved. On April 27, 2016, the federal government extended the ban to all of Pakistan. On April 29, 2016, Aashir Azeem, director of the *Maalik* filed an appeal against ban in Sindh High Court (SHC) which nullified the ban on September 6, 2016. The Lahore High Court also lifted the ban on September 21, 2016.

The federal government filed appeal in Supreme Court, which directed the government to provide details of objectionable content in the movie. The court observed that the Central Board of Film Censors (CBFC) had prima facie overstepped its authority by banning the movie without holding formal hearings.

On 21 April 2016, the CBFC banned the documentary film “Besieged in Quetta”, produced and directed by Asef Ali Mohammad on the treatment of Hazara community in the city. The CBFC determined that it promoted “ethnicity and sectarianism” and presented a “negative image of Pakistan.”

In April 2016, the CBFC also 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 that the film presented a “negative image of Pakistan in the context of the ongoing fighting against extremism and terrorism”.



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Political Environment

On October 10, 2016, the federal government imposed an international travel ban on journalist Cyril Almeida by placing his name on the Exit Control List (ECL). The action was taken following the publication of his story titled “Act against militants or face international isolation, civilians tell military” published in daily Dawn on October 6, 2016.

The story covered the details of meeting in which the prime minister, Punjab chief minister and government officials raised concerns over the suspended action against several militant groups, due to their suspected closeness to intelligence agencies.

Defending Dawn’s position, the newspaper’s editor, Zafar Abbas said “this newspaper considers it a sacred oath to its readers to pursue its reporting fairly, independently and, above all, accurately. The story that has been rejected by PM office as a fabrication was verified, cross checked and fact checked.”

“Second, many at the helm of affairs are aware of the senior officials and participants of the meeting who were contacted by the newspaper for collecting information and more than one source confirmed and verified the details.” he added.

The government however, removed his name from ECL after pressure from media organizations, unions and other civil society organizations after meeting between Interior Minister Chaudhry Nisar Ali Khan and the delegation of All Pakistan Newspaper Society (APNS) and Council of Pakistan Newspaper Editors (CPNE).

Government advertisements warn citizens not to misuse their right to free speech In early 2017, Pakistan government spent millions of rupees to broadcast and publish advertisements warning citizens misuse of Article 19 of the Constitution could subject them to fines or imprisonment. This perhaps demonstrated most clearly the government’s lack of commitment to the fundamental right to speech and opinion.



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The ads quote Article 19 from the Constitution of Pakistan which states that every citizen has the right to freedom of speech and the press is subject to subject to any reasonable restrictions imposed by law for the glory of Islam, integrity, security or defense of Pakistan or anything that could hurt friendly relations with foreign states, public order, decency or morality.

The ads list several laws and their punishments including:

Section 109: Punishment for Abetment is punishable by the same penalty as its offence

Section 124-A: Sedition is punishable by life in jail or death

Section 153-A: Inciting two groups could put you in jail for up to 5 years

Section 295-A: To incite people using religious feelings could imprison one for up to 10 years

Sections 295-B & C: Defilement or derogatory remarks against the Holy Quran or Prophet Muhammad (PBUH) is punishable by life sentence, death penalty and fine.

Sections 298 & 298-A & B: Attempting to harm religious feelings or making derogatory remarks against Holy personalities could put you in jail for three years, fine, or both

Sections 500, 501, 504 & 508: To distribute defamatory material or provoke a breach of peace is punishable by 2 to 5 years in jail and/or fine.

Section 11-W: Violation of Anti-Terrorism Act 1997 is punishable by up to 5 years in prison and fine

Section 11 & 13: Violation of Security of Pakistan Act 1952 can put you in prison for up to three years, fine or both.

Safety Environment

The Pakistani media continued to subject to violent attacks tacitly encouraged by a high level of impunity for these crimes. The problem of impunity is compounded by lack of political will to hold to account those in positions of power who attack journalists, delays in the judicial process, corruption and incompetence of local police forces, and inadequate resources and training for investigators and prosecutors, particularly in rural areas.

PPF has recorded 73 instances of journalists or media workers being killed for their work since 2002. Impunity has been the norm, and there have only been five convictions for murders of journalists.



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Killings

From January 1, 2016 to April 30, 2017, three media personnel were killed in the line of duty.

On February 12, 2017 Samaa TV assistant DSNG Taimoor Abbas was shot dead in Karachi, when team rushed to cover the cracker attack on Police. The television channel staff was on the way to cover the incident where attackers opened indiscriminate fire on the vehicle, resulting in the killing of Abbas. Police registered the case but no arrest was made.

On August 8, 2016, Mehmood Khan, cameraman of Dawn News channel and Shahzad Khan Cameraman of Aaj TV were killed in a bomb explosion at Civil Hospital in Quetta the capital city of Balochistan. Suicide bomber targeted the lawyers who had gathered after the target killing of their president.

Injuries

Nineteen media professionals were injured in attacks in different parts of the country while performing their professional duties.

On February 13, 2017, three staff members Abdur Rehman, Mohammad Shafiq and Aun Ali of Aaj TV were injured in the blast near Punjab Assembly in Lahore. The television channel's DSNG van was there to cover a protest by chemist and pharmaceuticals manufacturers.

Mujeeb Tareen, correspondent of Aaj News in Pishin, Balochistan was attacked by three armed men on 6th October. Residents caught one accused and handed him over to police. Tareen was attacked for his news story three days earlier about police raid at a cars showroom that had been selling smuggled vehicles.

On August 22, 2016, three cameramen of television channels namely Muhammed Safeer of Samaa News, Rehan Ahmed of Neo News and Usman Shareef of 24 channel were injured while covering the protest of Muttahida Qaumi Movement (MQM) political party when protesters turned violent followed by the speech of MQM founder Altaf Hussain. They three received injuries in their legs, chest and ribs. Police registered a criminal case and made arrests, but all accused were released on bail.



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On March 4, 2016, members of a religious group attacked Hyderabad Press Club while protesting on the execution of Mumtaz Qadri, the convicted for murder of Punjab Governor Salman Taseer. Qasim Khan of 92 News, NiazVighio of daily *Mehran*, FahimBabbar of Sindh TV and Farhan Khan of Associated Press of Pakistan (APP) news agency were injured. The protesters also damaged computer equipment in the press club. The accused were arrested by the police but were later released on bail.

Seven media personnel were injured in a baton charge by law enforcement agencies on February 2, 2016 in Karachi. They were while covering the protest demonstration by state owned Pakistan International Airlines (PIA) against the planned privatization of the national airlines. Those injured included Rafiq Hassan of Express News, Shafi Dilshad of Dawn News, Amjad Iqbal of Waqt News, Hanif Umair of ARY News, Rizwan Tabassum of Agence France Presse (AFP), Naveed Kamal of Dunya News and Samar Abbas of 92 News.

On 13 January 2016, Umer Hayat, non-linear editor of ARY was injured when the Islamabad office of the television channel was attacked when two motorcyclists who threw an Improvised Explosive Device (IED) in the premises. They also threw pamphlets claiming to be acting on directives of the Islamic State (ISIS) -Afghanistan group. A criminal case was registered against unidentified assailants.

Abductions

Five bloggers and an executive of Pakistan's leading media group were abducted and returned after some time in mysterious circumstances. There has been no attempt to investigate the abductions and no one has been held accountable for the kidnapping and alleged torture.

Samar Abbas a Karachi-based activist and blogger went missing from Islamabad on January 7. According to press reports he had gone to the federal capital for business when he was allegedly abducted. He remains missing to this day and his family has filed a petition in the Islamabad High Court.



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On January 7, 2017, social media activist Ahmed Raza Naseer was picked up by men in plainclothes from Nankana Sahib in Punjab. He returned home on 27 January 2017 but did not tell about his captors.

On January 4, 2017, social media activists and bloggers Ahmed Waqas Goraya and Asim Saeed went missing from Lahore. Both returned on 28 January 2017 but did not tell about their abduction. However, Goraya left the country for USA without meeting family or media where he accused the intelligence agencies of kidnapping him and alleged that he was tortured during his detention.

On January 6, 2017, Salman Haider, academic, journalist, activist and blogger went missing from Islamabad while returning to home from the suburb of Banigala. On 27, 2017 he returned to home but did not speak to media.

On September 28, 2016, Abid Abdullah, Director Coordination of Jang/Geo, Pakistan's largest media group, was abducted in the early hours of September 28, 2016 and was set free in the evening of the same day. He was kidnapped at gun point by unidentified men at around 3 AM from Peshawar, the capital city of Khyber Pakhtunkhwa province. Though a criminal case was registered but no arrests were made by police and Abdullah has not spoken about his abduction.

Arrests, attacks and threats

On January 2017 Samaa TV's station head in Sukkur, Sindh was beaten and detained by police from his home. Dozens of police personnel barged into his house in the morning, where he and members of his family were beaten before he was taken away. Imdad had done several unflattering stories about Leader of the Opposition in National Assembly Syed Khurshid Shah. Later in the evening he was released.

On May 3, 2016 Lahore police arrested Qaisar Khan of 92 News after he aired the program 'Andheri Nagri' in which residents of the city of Okara complained that he police did not take any action in cases involving armed robberies. The inaction of police in the city of Okara. He was released after Pakistan Federal Union of Journalists (PFUJ) staged a protest outside the Punjab Assembly in support of Khan against his arrest.



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Media houses attacked

On August 22, the offices of two media houses ARY News and Neo TV were attacked by a mob, after the telephonic speech of Altaf Hussain founder of the Muttahida Qaumi Movement (MQM), a political party. MQM workers attacked the media houses, injured three media personnel and broke the glasses and computers of the office.

Positive Developments

Sindh governments enacts the Right to Information law

On April 10, 2017, the Sindh Governor Mohammad Zubair signed into law the Sindh Transparency and Right to Information Law 2016 that had earlier been passed provincial assembly on March 13. This is an important step in creating the legal framework to implement Article 19-A of the Constitution of Pakistan that recognizes access to information as a constitutionally guaranteed right.

The provinces of Punjab and Khyber Pakhtunkhwa have already enacted similar legislation, while the federal government and the province of Baluchistan have yet to reform outdated and inadequate laws to bring them in line with the requirement of Article 19-A of the Constitution.

The law envisages forming a Sindh Information Commission to achieve the aims and objectives of the Act. The law states that every public body should disseminate information as widely as possible including on the internet, so that all the citizens could have easy access to them.

Removal of ban on YouTube

The ban on YouTube was lifted on 17 January 2016, after more than three years. The website was banned by PTA on 17 September 2012 after the film "Innocence of Muslims" was uploaded on the website, which led to violent protest demonstrations across the country.



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Appointment of Focal person on media attacks by Sindh government

Sindh Information Department has appointed a focal person responsible to monitor the crimes against journalists and media houses. The decision has been taken followed by the meeting between Secretary Information Department Imran Atta Soomro and a delegation of Pakistan Press Foundation (PPF).

According to notification number issued on December 6, 2016 issued by the Information Department the focal person will act as bridge between police and other law enforcement agencies and media for better coordination and following up the cases of killed journalists.

The information secretary information appointed Muizzuddin Peerzada, deputy director information department who will be responsible for extending support for fact finding on the issues of terrorism, crimes and conflicts being faced by journalists and media professionals.



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