



**IDMF**

INITIATIVE FOR DIGITAL  
AND MEDIA FREEDOMS



DigitalRightsFoundation

"KNOW YOUR RIGHTS"

# BYTES BEHIND BARS

Decoding Pakistan's digital  
expression legislation



# About Digital Rights Foundation

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Digital Rights Foundation (DRF) is a women-led, not-for-profit organisation based in Pakistan working on digital rights freedoms since 2013. DRF envisions a place where all people, especially women and gender minorities, can exercise the right of expression without being threatened. DRF believes that a free internet with access to information and impeccable privacy policies can create safe online spaces for not only women but the world at large.

At DRF, we aim to strengthen the protections for human rights defenders (HRDs), with a focus on women's rights in digital spaces through policy advocacy and digital security awareness-raising. In addition, one of our main aims is to protect women from cyber harassment that they have to deal with throughout their lives by making them aware of their rights and making resources accessible when they need help.

With growing privacy concerns in digital spaces, DRF seeks to increase awareness about privacy issues and defend the right to privacy through research, monitoring and reporting the tactics around surveillance. To rally with other actors for strong legal protection for privacy in the country and to raise our voices against dictating censorship policies, we propose viable solutions to the government and other authoritative bodies.

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# Acknowledgements

This report is a vital component of a necessary discourse, supported by DRF, surrounding the impact of legislation ostensibly designed to tackle cybercrime and terrorism, but that is often utilised against journalists in Pakistan, curtailing freedom of expression.

This project would not have been possible without the invaluable participation of Pakistan's journalism community, who generously took the time to speak about their experiences and observations at the hands of the Prevention of Electronic Crimes Act. It is our hope that this report honours their experiences, and through their work reaffirms the necessity of freedom of expression to a healthy, democratic society.

DRF would also like to acknowledge the support of the European Union in funding the Initiative for Digital and Media Freedoms project, through which this report has been published.

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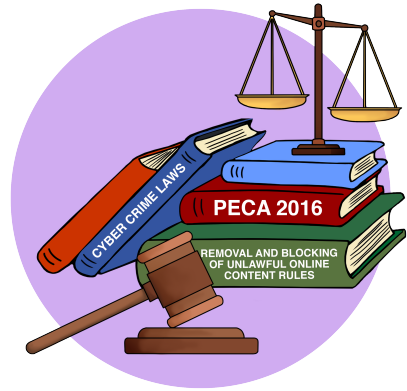
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# Introduction

“After my arrest, it has been difficult to believe there is light at the end of the tunnel for internet freedoms.”

The regulation of digital spaces in Pakistan continues to move at an accelerated pace, a momentum that brings with it more curbs on the freedom of expression, access to information, privacy rights, and the right to life and liberty. The instruments of governance that are used to monitor digital spaces consist of criminal legislation as well as laws predicated on data collection, along with content regulation tools, all of which undergird a complex and widely intersecting legislative network that provides a legal basis for the censorship, criminalisation and overall silencing of critical voices. This regulatory network is reinforced by technologies and manoeuvres that are used to bolster the overly broad reach of intrusive regulation within Pakistan.



Over the course of the eight years since passing into law, the Prevention of Electronic Crimes Act 2016 (PECA) has gained a notorious reputation for its impact on internet freedoms. The Act has been criticized by international and domestic human rights observers and organisations, including former UN Special Rapporteur on the promotion of the right to freedom of expression, David Kaye, for its broad language subject to generous interpretation by authorities. Digital Rights Foundation, in its submission to the UN Human Rights Committee during Pakistan's second treaty body review of the International Covenant on Civil and Political Rights (ICCPR), noted that despite enacting legislation for the protection of journalists they "continue to face severe consequences for expressing dissenting opinions, including forced disappearances, killings, and abductions."<sup>2</sup> In its concluding observations, the Committee noted recommended that Pakistan must:

“Take all measures necessary to support a genuinely pluralistic media landscape and ensure a safe and enabling environment for the work of journalists, including by fully implementing the Protection of Journalists and Media Professionals Act, 2021, and swiftly establishing the Commission for the Protection of Journalists and Media Professionals provided for in article 12 of the Act.”<sup>3</sup>

It is well documented that legislation such as PECA has provided leeway to officers of the law to arrest, detain and prosecute numerous human rights defenders, political workers, digital content creators, journalists and ordinary citizens – reinforcing that the PECA, and the laws that follow in its wake, has an outsized and debilitating impact on online freedom of expression.

This report focuses on PECA and other laws in the same vein, to understand their impact on the right to freedom of expression in Pakistan for journalists, particularly the laws as they play out in the legal system, the country’s courts and its law enforcement agencies, as well as how they place restrictions on free speech through political and social discourse. Journalists and media practitioners, in particular, often the most visible figures online due to their reporting and work, have borne the brunt of the heavily regulated landscape in Pakistan.

The report notes that one significant impact of aggressive regulation of online spaces has been the “chilling effect” phenomenon, which provides a partial explanation of the ways in which governance frameworks can instil self-censorship as a pre-emptive protective mechanism. The report looks at the unique political, legal and social context of Pakistan, and how that engenders a larger social life of legislation that goes beyond the strictly legal apparatus. Many of the participants in this research expressed frustration with the theatrics of online legislation and regulation, used as a means of signalling what speech is acceptable and what is unacceptable. The report also finds that despite having access to overly broadly worded laws, subject to generous interpretations that in turn give officers of the law broad powers, the state finds itself turning to extra-legal mechanisms to further target online speech, and the people that speak out.

# Methodology

This research report adopts a mixed-method approach, to gain and develop a holistic view with regards to online regulation. The first half of the report draws on legislative analyses of various laws used for online regulation as well as on legal documents such as court orders and First Information Reports (FIRs), and public statements from state officials. The report looks at a range of laws such as the pivotal Prevention of Electronic Crimes Act, 2016 along with other criminal legal instruments applied to the digital context, particularly select sections of the Pakistan Penal Code, 1860, the Anti-Terrorism Act, 1997, Telegraph Act, 1885, and defamation laws.

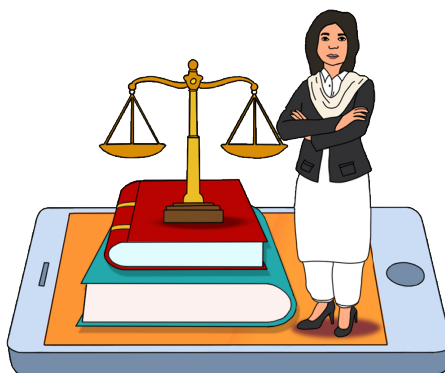


The research further draws on a series of in-depth, qualitative interviews with seven journalists across the country, documenting their experience with online laws, which often resulted in punitive action. The research findings are validated through expert interviews with three lawyers who have experience of online regulations. The interviews were conducted remotely between August to October 2024. To ensure the safety of interviewees, and to honour their consent, details related to their cases, as well as any other forms of identifying information, have been withheld. The journalists interviewed for this report come from across the provinces of Pakistan, including Azad Jammu and Kashmir, and include two women and five men.

Lastly, the report makes recommendations to ensure that existing laws and legal processes adhere strictly to constitutional rights, protections provided under the Protection of Journalists and Media Professionals Act, 2021, as well as international human rights law.

# Legal analysis

Journalists and media practitioners are impacted by a range of laws and regulatory instruments impacting online spaces. The Prevention of Electronic Crimes Act (PECA),<sup>4</sup> passed in August 2016, and substantially amended in January 2025,<sup>5</sup> is a special law dealing with digital spaces. Parliamentary debates show that the intention of the law was to legislate against cyber crimes, particularly in light of the National Action Plan to counter terrorism<sup>6</sup> following the December 16, 2014 attack on an Army Public School in Peshawar.<sup>7</sup> Point 14 of the 2014 Plan stated the government take “[m]easures against abuse of internet and social media for terrorism.”<sup>8</sup>

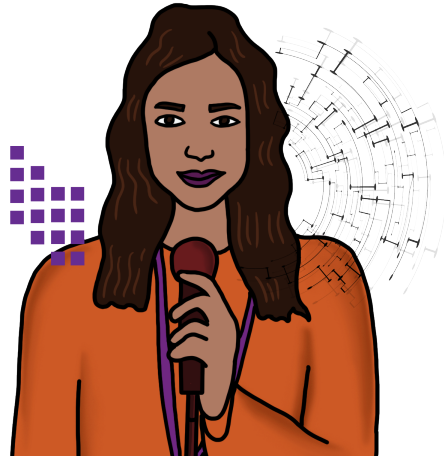


PECA performs three essential functions: the introduction of criminal offences relating to digital spaces and the prescription of penalties; the provision of a mechanism for investigating and prosecuting cyber crimes; and the empowerment of state institutions to “block” and “remove” online content. While all three functions were already being performed by the government prior to PECA being passed,<sup>9</sup> PECA itself had been envisioned by the government as a necessary piece of legislation, in order to deal with the challenges of the digital age.

The PECA was passed after over a year of back-and-forth and closed-door consultations by the National Assembly’s Standing Committee on Information Technology and Telecommunication, to the opposition and concern of civil society<sup>10</sup> and international human rights bodies.<sup>11</sup>

## PECA's impact on journalists

Of the 27 criminal offences outlined in PECA (23 offences in 2016, 27 after amendments in 2023,<sup>12</sup> and 28 after 2025 amendments),<sup>13</sup> those relating to online speech have impacted journalists the most, chief among these being Section 20, which deals with online defamation. Though Section 20 was partly struck down by the Islamabad High Court in April 2022, on the grounds of unconstitutionality,<sup>14</sup> It has nonetheless been upheld by the Lahore High Court



as being in line with the Constitution, and the law upholds the right to dignity under Article 14 of the Constitution of Pakistan.<sup>15</sup> Section 20's status, however, remains uncertain, pending adjudication at the Supreme Court.<sup>16</sup> While cases under Section 20 were suspended in the immediate aftermath of the Islamabad High Court order,<sup>17</sup> It is still being used in FIRs and as a basis for the filing of new cases, as of the time of writing this report.<sup>18</sup> Research by the Clooney Foundation for Justice has found that Section 20 is contrary to international human rights standards, and has been weaponised to target journalists in Pakistan.<sup>19</sup> The insertion of section 26A through the 2025 amendment, which stipulates a punishment for "false and fake information" for up to three years,<sup>20</sup> could further use of PECA to silence speech in the same vein as criminal defamation. DRF's analysis of the law notes that the section "creates a vague criminal offence, potentially weaponized to suppress accountability and construct malafide cases."<sup>21</sup>

Other sections such as 10 (cyber terrorism),<sup>22</sup> 11 (hate speech)<sup>23</sup> and 24 (cyber stalking)<sup>24</sup> have known to have been used against journalists. In some cases, Section 21, relating to offences against modesty of a person, has also been inserted into FIRs opened against journalists.<sup>25</sup>

### ***Defamation***

The text of Section 20 states that it is an offence to harm the reputation and privacy of a 'natural person.' However, it has been used as a basis to take

action against speech that is critical of state institutions, particularly the armed forces and judiciary. Perhaps in an attempt to respond to this legal infirmity in the law, the government at the time enacted the Prevention of Electronic Crimes (Amendment) Ordinance, 2022 to cover defamation of a “public figure or a holder of public office.”<sup>26</sup>

“The government needs to realise that reporting is not personal. If I am reporting on corruption by a government department, I am not harming the reputation of a natural person, I am reporting on people in public positions. But defamation laws are not making that distinction.”<sup>27</sup>

Sections within the Pakistan Penal Code that pertain to defamation, Sections 499 and 500, have also been applied to online spaces, and have often been included in First Information Reports (FIRs) filed against journalists.<sup>28</sup> The Punjab Defamation Act, 2024,<sup>29</sup> applicable to the province of Punjab, extends to writings, signs, signals, pictures and sounds disseminated through “any electronic device, intended to be received by the public through social media websites, applications and platforms (including but not limited to Facebook, Instagram, X/twitter, WhatsApp, TikTok)” or “any other electronic or information technology medium or technology.”<sup>30</sup> The impact of the Act remains to be seen,<sup>31</sup> as the legislation has been challenged at the Lahore High Court since its approval<sup>32</sup> and the court has since ordered implementation of Sections 3, 5, and 8 of the Act to be halted.<sup>33</sup>

Previous<sup>34</sup> analyses of the Act by Digital Rights Foundation found it to violate the rights to freedom of expression and fair trial. Concerns regarding the Act have been shared by a woman interviewed for this report:

“When I read the Punjab Defamation Act, I realised that [the government] doesn’t want anyone reporting against them. [The Act] places the burden of proof on you to prove your innocence. Additionally, the fines imposed under the Act are so high that I don’t think any journalist can afford it on their average salary.”<sup>35</sup>

### ***National security laws***

In August 2023, amendments to the Pakistan Army Act, 1952 and Official Secrets Act, 1923<sup>36</sup> brought electronic crimes under the ambit of these laws.

The Pakistan Army (Amendment) Act, 2023 made anyone committing an offence under PECA or “other relevant electronic, digital, social media laws” to “undermine, ridicule or scandalize the Armed Forces of Pakistan”, triable under the Army Act, and in courts constituted under the Act.<sup>37</sup> The punishment for defaming the Armed Forces was also set to a maximum of two years under the amended law.<sup>38</sup>

The Official Secrets (Amendment) Act, 2023<sup>39</sup> changed the definition of “document” to include “any written, unwritten, virtual, electronic, digital, or any other tangible or intangible instrument”<sup>40</sup> and the definition of “unauthorized access” to include any “physical, electronic, or virtual access or contact, direct or indirect, to a prohibited place, an information system, application, network, data, processed or derived, or any such document or resource or prohibited place which is not available for access by general public.”<sup>41</sup> These amendments added new offences which covered digital documents and access that are now punishable for up to 14 years. These offences have been tried under military courts, as part of a parallel judicial process not covered in this report.

### ***New legislation, old offences***

While Chapter 2 of the PECA contains 27 offences relating to digital spaces, Section 28<sup>42</sup> states that provisions of the Pakistan Penal Code, 1860 (PPC) are applicable to PECA in so far as they are consistent with the PECA. Thus far, nothing in the PPC has been deemed to be inconsistent with PECA. This has meant that a range of offences, including sedition<sup>43</sup> and public ‘mischief’,<sup>44</sup> enacted in the British colonial era when the Code was brought into force, can be transposed onto digital spaces allowing for a wider set of restrictions on freedom of expression online than even PECA envisions.

Journalists have faced and continue to face charges under the PPC for online speech and content, including social media posts made from their channels and videos posted of them online. The plasticity of PECA has allowed law enforcement agencies to be creative with the tactics they use to clamp down on online speech, such as filing multiple cases with the police and Federal Investigation Agency (FIA), or in multiple jurisdictions, and exploiting the summons system of the FIA.<sup>45</sup>

<b>Section</b>	<b>Section Title</b>
34	Acts done by several persons in furtherance of common intention
102	Commencement and continuance of the right of private defence of the body
109	Punishment of abetment if the Act abetted committed in consequence and where no express provision is made for its punishment
121	Waging or attempting to wage war or abetting waging of war against Pakistan
121-A	Conspiracy to commit offences punishable by Section 121
124-A	Sedition
131	Incitement to mutiny
133	Abetment of assault by soldier, sailor or airman on his superior officer, when in execution of his office
153	Provoking to cause riot
153A	Promoting enmity between different groups, etc.
186	Obstructing public servant in discharge of public functions
228	Intentional insult or interruption to public servant sitting in judicial proceeding
279	Rash driving or riding on a public way



295A	Deliberate and malicious acts intended to outrage religious feelings of any class by insulting its religion or religious beliefs
353	Assault or criminal force to deter public servant from discharge of his duty
382	Theft after preparation made for causing death, hurt or restraint in order to the committing of the theft
411	Dishonestly receiving stolen property
427	Mischief causing damage to the amount of fifty rupees
452	Trespassing
469	Forgery for the purpose of harming reputation
499	Defamation
500	Punishment for defamation
501	Printing or engraving matter known to be defamatory
503	Criminal Intimidation
505	Statements conducing to public mischief
506	Punishment for criminal intimidation
509	Word, gesture or act intended to insult the modesty of a woman

*Table 1: PPC sections used against journalists for online speech, as per DRF's examination FIRs, till December 2024*

Section 505 of the PPC<sup>46</sup> was added to the Schedule of the Federal Investigation Agency Act, 1974<sup>47</sup> via a notification dated 3 November 2022<sup>48</sup> to target individuals who spread “rumours and false information against state institutions” on social media.<sup>49</sup> This allows the FIA to investigate and inquire into cases related to section 505.

In 2023, a Bill was introduced in the Senate with the intention of stopping violations by bringing powers of the FIA under “legal and just limitations.”<sup>50</sup> The amendment Bill, which did not pass, proposed limiting powers of the FIA to arrest without a warrant to cognizable offences and in situations where there is a reasonable compliant and credible information has been received for commission of an offence.

### ***Journalism as terrorism***

“The problem is that instead of using these laws, they are being misused.”<sup>51</sup>

Adding to the labyrinth of legislation weaponised against journalists and media workers for their online speech, sections of the Anti-Terrorism Act, 1997 (ATA) have been used against them to penalize their online speech.<sup>52</sup> The broad and vague nature of the ATA has meant that the Act has been interpreted to apply to a wide range of activities, including online speech. The Supreme Court of Pakistan has urged<sup>53</sup> narrow reading of offences under the ATA in its 2019 landmark judgment under the ***Ghulam Hussain v the State*** case,<sup>54</sup> however it remains widely used and journalists have been caught in its dragnet.<sup>55</sup>

While the use of anti-terrorism laws to target journalists is well documented,<sup>56</sup> their use in the context of, and against, online speech, however, raises further questions regarding jurisdiction, as anti-terrorism cases are heard by special Anti-Terrorism Courts established under the ATA, whereas cases relating to PECA are presumably heard by designated courts. These questions are not often addressed by police and other law enforcement agencies that add anti-terrorism sections to First Information Reports (FIRs) against journalists. Furthermore, Section 10 of PECA already contains the offence ‘cyber terrorism,’<sup>57</sup> and there is lack of legal clarity and legal precedent dictating when each should apply to a particular case.

Lastly, the use of anti-terrorism laws causes harm to journalists and their work beyond the direct legal implications. One journalist interviewed noted that the “use of these laws can be damaging to our reputation and insulting as many have repeatedly put our lives at risk to report against extremist elements in our area.”<sup>58</sup>

The two sections in PECA that ostensibly pertain to terrorism-related offences in digital spaces, Sections 9 and 10, suffer from similar issues of vagueness as the ATA. This is particularly the case with Section 9, “Glorification of an offence,”<sup>59</sup> which lacks legal clarity in connection with incitement to terrorism and fails to justify a necessary and legitimate restriction on expression.”<sup>60</sup>

### ***Content moderation and internet shutdowns***

Apart from criminalisation of online speech, journalists are also impacted by laws that allow for internet censorship, takedown and interception of content and frequent, arbitrary network shutdowns.

Prior to the 2025 amendment, the Pakistan Telecommunications Authority (PTA) was empowered to block and remove “unlawful” online content “in the interest of the glory of Islam or the integrity, security or defence of Pakistan or any part thereof, public order, decency or morality, or in relation to contempt of court or commission of or incitement to an offence under this Act”, under section 37 of PECA. The exercise of this power was elaborated under the Removal and Blocking of Unlawful Online Content (Procedure, Oversight and Safeguards) Rules, 2021.<sup>61</sup> The 2021 Rules expand the powers of the PTA to block entire platforms, as opposed to specific pieces of content, place restrictive time limits (12-48 hours) on social media platforms to remove content, impose requirements on social media companies to register within Pakistan and expand the criteria of the PTA’s content moderation powers. The Rules were challenged in various high courts across the country for being ultra vires of their Parent Act, however no ruling to this effect has been given.

The 2025 amendment fundamentally alters the scheme of content moderation with the creation of the Social Media Protection and Regulatory Authority<sup>63</sup> with powers to “regulate the unlawful or offensive content on the social media platforms accessible from Pakistan” and “to partially or fully block social media platform if it fails to comply with the provisions under this Act until the compliance is made.”<sup>64</sup> Further, the definition of content that can be regulated under section 2R defining “unlawful or offensive online content” has also expanded substantially.<sup>65</sup> Concerns have been raised regarding the new Authority’s broad powers and implications for online censorship. This report does not track the impact of these amendment, however DRF’s analysis notes:

“Given these powers and the potential for misuse, especially when the definition of “unlawful online content” under section 2R is also expanded, the Regulatory Authority could become a tool for persecution. This opens the door to excessive censorship, with the potential for content to be removed or blocked without clear or objective standards as previously discussed.”<sup>66</sup>

Furthermore, the practice of network and internet shutdowns in the country is partially authorized by the Pakistan Telecommunication (Re-Organization) Act, 1996<sup>67</sup> to suspend services of internet service providers through policy directives under Section 8(2)(c) of the Act.<sup>68</sup> This power is frequently exercised for localised,<sup>69</sup> regional<sup>70</sup> and nation-wide<sup>71</sup> mobile network and mobile internet shutdowns. These shutdowns and the wide discretion exercised by the government to limit internet access has severely impacted journalists as well. An interviewee from Khyber Pakhtunkhwa stated that:

“A big challenge in the area I live in is that due to security issues the internet is [frequently] shut down and mobile internet access is limited. For instance, in Tirah Valley for the last few weeks mobile internet has been shut down. The same happened in Kurram due to an increase in violence. This severely impacts citizen journalism and journalists who are associated with digital platforms—even uploading a story can become impossible.”<sup>72</sup>

In 2020, the Supreme Court upheld the powers of the PTA to issue directives for suspension of mobile network services for reasons of national security or public safety in the case of ***Pakistan Telecommunication Authority v CM Pak Limited***.<sup>73</sup> The judgement overturned a 2018 decision by the Islamabad High Court which held that the PTA's exercise of powers to require network suspensions through its policy directive was *ultra vires*<sup>74</sup> of Section 54(3) of the Pakistan Telecommunication (Re-Organization) Act, 1996.<sup>75</sup> Pakistan's legal framework fails to provide any safeguards against network and internet shutdowns. These shutdowns often happen unannounced and there is no requirement of transparency from the PTA to furnish reasons for the shutdown. One journalist notes that the slowdown of internet speeds experienced across the country in 2024 severely impacts their work:

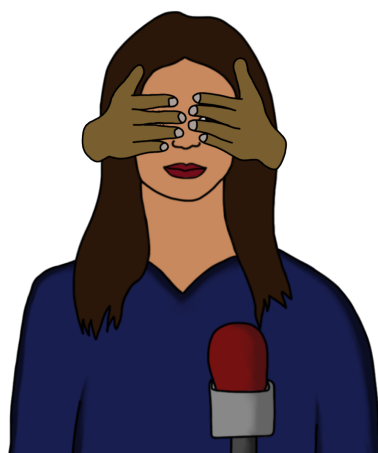
"We are now hearing about the installation of a 'firewall', but who does this benefit? No one. Journalists who are working online or using internet to contact sources or access evidence, they all suffer."<sup>76</sup>

# Findings

## *Procedural harassment*

"The FIA is just a continuation of traditional policing culture. I tried pursuing a case on behalf of a [female] colleague who was facing online harassment and my experience showed me that the FIA lack the will and resources to pursue cases effectively. The entire process was very disappointing as there was very little understanding of the impact the harassment had on my colleague."<sup>77</sup>

A worrying trend in the use of regulations regarding online laws has been the practice of issuing summons to journalists requiring them to join investigations against them, often signalling the start of harassment through the legal system. Journalists have related that the process of receiving and responding to notices can be extremely onerous and result in considerable hardship for them.<sup>78</sup>



As discussed earlier, the cyber crime wing of the FIA was designated under section 29 of PECA as the investigation agency tasked with investigating offences under the Act. Section 30 grants powers to an authorised officer of the FIA<sup>79</sup> to investigate an offence. The federal or provincial government is also empowered to constitute Joint Investigation Teams (JITs), consisting of authorised officers of the FIA and any other law enforcement agency for the investigation of an offence under PECA and any other laws. The Prevention of Electronic Crimes Investigation Rules<sup>80</sup> were enacted in 2018 to provide clarity on the procedures of the FIA during its investigations under PECA. The Rules have very limited legal guardrails for the powers exercised by the FIA, creating a system marked by discretionary powers by the investigation agency.

From 2018 onwards, the FIA developed a practice of sending summons for attendance under section 160 of the Code of Criminal Procedure, 1898

(CrPC). The summons rarely contain any substantive allegations, or the details of the posts implicated in the investigations. These summons—undated or backdated—are often delivered to journalists either after the date of appearance had passed or on short notice, even requiring some journalists to travel substantial distances. A woman journalist from Lahore shared her experience of the summons process:

"I received a call at around 5 PM that a complaint was filed against me [at the FIA] and I was required to appear before a court in Karachi at 9 AM [the next] morning. I live and work in Lahore.<sup>81</sup> This was the first time I was hearing about it; I received no summons from the FIA prior to this. When I raised this, [the FIA] sent me a backdated summon on WhatsApp. It was so stressful, and I was shocked that they had bypassed every process. When I told them I couldn't travel to Karachi on such short notice, the FIA officer said I could get arrested if I refused to comply with the notice and even went to the extent of defending the complainant filed against me."<sup>82</sup>

The format of summons has changed since 2022 to include three headings in particular: name of the complainant; date of registration of enquiry; and gist of allegations. Nevertheless, the FIA has continued to provide scant information in these summons, often explaining the case in less than a sentence, providing little opportunity to journalists to prepare a defence before they appear before the FIA or join the investigation.

In its analysis of twelve notices of summons issued to journalists, only one addressed to Sami Ibrahim contained a detailed "gist of allegations" and the sections of the law applicable to his case.<sup>83</sup> As per statements made in court, this also appears to be the only instance where the FIA informed the Pakistan Federal Union of Journalists (PFUJ) about the initiation of inquiry against a journalist.<sup>84</sup>

Journalists interviewed for this report felt that there was a double standard in the FIA's eagerness to pursue cases against journalists, and the lack of protections it provides to journalists when they approach the FIA for complaints of online harassment. One journalist stated:

"When I was sent a legal notice by the FIA for a story that I shared, I was constantly harassed for two months. When I filed a complaint regarding online abuse and rape threats that I had received, no action was taken."<sup>85</sup>

The issue of harassment of journalists via summons was raised in the case of *Rana Muhammad Arshad v Federation of Pakistan*,<sup>86</sup> in which the Islamabad High Court noted that the practice of issuing summons to journalists was creating a "perception of abuse of the provisions of PECA" due to the "reckless and unprofessional manner in which the proceedings under the PECA 2016 were conducted by the Agency." The court directed the FIA to formulate guidelines regarding the conduct of investigation officers and special guidelines for "proceedings against persons engaged in the profession of journalism on account of the profound effect on the freedom of press and independence of a journalist when coercive powers are abused."<sup>87</sup> In light of this decision, the FIA developed Standard Operating Procedures (SOPs) for its investigations placing obligations on the FIA to "specifically state the section of law of the alleged offence, the date of registration of enquiry, fact, point and specified matter."<sup>88</sup> These SOPs are not publicly available as of the time of this report, however. The lack of protections for journalists and accountability of the FIA led one journalist to conclude:

"Law enforcement agencies are often acting at the behest of government and state officials; they are merely pawns in this fight against journalists."<sup>89</sup>

In April 2024, the federal government notified the National Cyber Crimes Investigation Agency (Establishment, Powers and Functions) Rules, 2024<sup>90</sup> to designate a new investigative agency to replace the FIA under Section 29 of PECA. The government announced that FIA would continue its functions for a year until the National Cyber Crimes Investigation Agency (NCCIA) was operationalised.<sup>91</sup> Six months later, however, it was announced that the government repealed the NCCIA Rules<sup>92</sup> and reinstated the powers of the FIA.<sup>93</sup> The FIA remains the operative body for investigations under PECA at the time of writing and editing this report..<sup>94</sup> A new body titled the National Forensics and Cybercrime Agency (NFCA) was proposed by the government through the a Bill titled National Forensic Agency Act, 2024.<sup>95</sup>



to assist with the FIA's investigations.<sup>96</sup> The Bill was passed by the Senate at the end of 2024.<sup>97</sup> Furthermore, the draft Prevention of Electronic Crimes (Amendment) Act, 2024 proposes the establishment of the Pakistan Digital Rights Protection Authority.<sup>98</sup> The powers of the proposed Authority include, among others, to "inquire, investigate and prosecute" offences under PECA and "summon any person for inquiry or investigation."<sup>99</sup> The sweeping and discretionary powers of the proposed Authority could further expand content regulation<sup>100</sup> and prosecution of offences related to digital spaces.

Given the broad nature of the laws and lack of procedural safeguards, there is a belief among journalists that all the government requires is an excuse to go after select journalists:

"The government has discretion to penalise journalists who they already have a problem with, and not others. For instance, in the cases of misinformation regarding the PGC [Punjab Group of Colleges] case we saw that the government filed FIRs against journalists, lawyers and content creators associated with a particular political party."<sup>101</sup>

### ***Seizure of devices and passwords***

"Law enforcement agencies are not trained. They often think they have a licence to do anything."<sup>102</sup>

Data and devices of journalists are particularly sensitive given the nature of their work, which requires protecting sources and dealing with data that could be used to hold powerful actors to account. In Pakistan, the Protection of Journalists and Media Professionals Act passed in 2021<sup>103</sup> provides some privacy protections for journalists. Section 4(3) of the Act states that "no journalist, reporter or media professional is forced, induced, compelled, coerced or threatened for the disclosure of his/her sources of information by any person, officer, agency, authority or institution save without due process of the law."<sup>104</sup>

While limited precedent exists, protections have been extended to data contained in personal devices through the courts. The Lahore High Court held in a 2024 judgment, *Muhammad Rehmat Ullah v. The State*,<sup>105</sup> which stated that the data inside mobile phones is a private space and thus protected by the constitution:

"... our phone is like or not less than a home. Every relation domestic or private which the people keep within four walls of their house is legally protected under the Constitution, that is the reason dignity of a man and, subject to law, the privacy of home is inviolable right of every individual as per Article 14 (1) of the Constitution of the Islamic Republic of Pakistan, 1973."<sup>106</sup>

Referring to Pakistan's commitment under international and regional human rights instruments, i.e. International Covenant on Civil and Political Rights, Cairo Declaration on Human Rights in Islam, and Convention on the Rights of the Child, and local laws such as PECA, PTA Act, Investigation for Fair Trial Act 2013 and Freedom of Information Ordinance 2002, the court declared against the arbitrary and unlawful seizure of devices: "the acquisition of data stored in an information system or seizure of any articles containing such data requires intervention of Court either by obtaining warrant in this respect or otherwise an intimation to the Court after such seizure within 24 hours."<sup>107</sup>

On the other hand, PECA envisions wider powers for authorised officers to acquire data<sup>108</sup> and seize devices.<sup>109</sup> The Prevention of Electronic Crimes Investigation Rules state that while conducting search and seizure, data and devices should be collected if it is "absolutely necessary for the investigation of the case."<sup>110</sup> However the practices of the FIA do not match these processes on paper. The FIA, through documents submitted in court documents, has often cited the need to examine electronic devices as reasons for detention or continued detention of journalists.<sup>111</sup> One journalist interviewed shared her experience:

"When I went to the FIA to answer the summons against me, I was made to wait for 3 hours. [The FIA] wanted to confiscate my devices. I refused to give my devices because the case against me was a post that was publicly available. Then they asked me to delete the [allegedly defamatory] post, and I refused because I had shared it with documentary proof."<sup>112</sup>

More difficult to track and measure is the level of surveillance that journalists are subjected to. Pakistan lacks a personal data protection law and safeguards against targeted surveillance are all but absent. In July 2024, the Ministry of Information Technology and Telecommunication formally authorised intelligence agencies to "intercept calls and messages or to trace calls through any telecommunication system as envisaged under Section 54 of the [Pakistan Telecommunication (Re-Organization) Act, 1996]".<sup>113</sup>

### ***Judicial pushback***

"Courts have been very passive in protecting journalists. They tell us to go to the designated cyber crime courts to defend our case and have done little to stop legal harassment."<sup>114</sup>

Journalists facing harassment by the law and its enforcement agencies have turned to the courts system in the country for protection. While some high courts have provided relief to journalists on procedural grounds, they have largely stopped short of striking down legislation.

### ***Procedural relief***

"In Islamabad, at least, we have seen that the courts have given considerable relief to journalists, but not all judges have the same approach."<sup>115</sup>

As mentioned in an earlier section, the judgment in the case of ***Rana Muhammad Arshad v Federation of Pakistan*** by the then-chief justice of the Islamabad High Court, Athar Minallah, called into question the arbitrary powers of the FIA to summon notices to journalists. Subsequently, the court has provided relief to journalists. For instance, the Islamabad High Court

suspended the notice issued to journalist Asad Toor for failing to meet evidentiary requirements and not providing “full details of the complaint and evidence in the notice.”<sup>116</sup>

The Peshawar High Court also ruled on the procedural protections required during an investigation by the FIA. In the case of *Shandana Gulzar Khan v Federation of Pakistan*,<sup>117</sup> the Chief Justice of the High Court, Ishtiaq Ibrahim, noted that as per the principles of natural justice, Constitutional provisions and statutory safeguards, the FIA was obligated to “promptly” inform individuals of the charges against them and allow “adequate time to prepare a defence or gather evidence.” The court held that the vague allegation mentioned in the notice<sup>118</sup> was insufficient, as it did not contain any factual details. The court noted that “mere presentation of a generic statement regarding the commission of an offense cannot be considered sufficient to convey pertinent information or fulfill the respondents’ mandated responsibilities.”<sup>119</sup> The court also went on to state that “the specifics of the case are crucial, particularly in criminal charges, as each case differs in its factual context.”<sup>120</sup>

Similarly, the Lahore High Court held in the case of *Munir Ahmad Bhatti v Director, FIA Cybercrime Wing*<sup>121</sup> that the FIA could not register an FIR under section 20 without the permission of a competent court. The petitioner in the case asked the court to ensure protections against the registration of an FIR for allegedly defamatory statements made during a programme broadcast on YouTube. Justice Tariq Saleem Sheikh held that since the offence was non-cognisable, the FIA could not register an FIR on its own.

### ***Substantive relief***

In April 2022, the Islamabad High Court struck down<sup>122</sup> the Prevention of Electronic Crimes (Amendment) Ordinance, 2022<sup>123</sup>, which had expanded the ambit of section 20 of PECA to apply to state institutions. Furthermore, the court also struck down existing parts of Section 20 relating to “harms to the reputation of natural persons.” The Ordinance and section were found to be violative of Constitutional “fundamental rights guaranteed thereunder, particularly Articles 9, 14, 19 and 19-A.”<sup>124</sup>

In May 2022, the Islamabad High Court directed the parliament to review the Removal and Blocking of Unlawful Online Content (Procedure, Oversight and Safeguards) Rules, 2021 which expanded the powers of the PTA to block and remove online content.<sup>125</sup>

In 2022, Babar Sattar, a judge of the Islamabad High Court, quashed an FIR against a citizen<sup>126</sup> for posts on social media for allegedly “causing or inciting officers of the military to mutiny or otherwise disregard their duties.” The court held that it was “inconceivable” how mutiny could result from “the publication of the tweet from an insignificant twitter account.” The judgment also stated that the FIA did not have the jurisdiction to take action under section 505 of the PPC as it was not included in the Federal Investigation Agency Act, 1974 schedule.<sup>127</sup> As discussed earlier in this report, an amendment was subsequently made to the Act to add section 505.

Some journalists observed that despite these instances of relief, courts are also very eager to crack down on online criticism, particularly when it is directed against them. In wake of multiple online campaigns against members of the superior judiciary, the supreme court and high courts, notices have been issued.

In August 2022, Supreme Court Justice Qazi Faez Isa took *suo moto*<sup>128</sup> notice of the application of five journalists alleging a pattern of harassment, intimidation and violence against journalists. Reference was made to a press release by the FIA “stating that criminal cases have been registered against some journalists because they report against the judiciary.”<sup>129</sup> The order issued by the two-member bench of the court, however, was held in abeyance<sup>132</sup> and later withdrawn<sup>131</sup> after the powers of the judge to take *suo moto* action was called into question by a larger bench. The case was eventually disposed of in January 2023 after the FIA reassured the court that no inquiry against journalists was pending with the law enforcement agency.<sup>132</sup> Exactly a year later, in January 2024,<sup>133</sup> inquiries against nearly a hundred journalists and politicians were initiated by the FIA for an alleged social media campaign “against the judiciary,”<sup>134</sup> among whom 47 journalists were issued notices.<sup>135</sup>

## ***“Not Enough”***

One male journalist interviewed from Khyber Pakhtunkhwa pointed out the ways in which the courts can also be used to harass journalists:

“In my experience, civil courts have also sent legal notices to journalists. For instance, a journalist in our area wrote a Facebook post regarding corruption by an SDO in WAPDA and the next day the journalist received a legal notice from the WAPDA union stating that they will take action against the journalist in court.”<sup>136</sup>

Further to this, journalists felt that lower courts were less journalist-friendly. A male journalist from Sindh observed that:

“[The] higher judiciary might uphold freedom of expression, but it’s not enough. Journalists are very unlikely to get relief from lower judiciary.”<sup>137</sup>

Others noted that even when journalists do get relief, the judiciary has done little to compensate journalists for the onerous process of going through the court system. It can often take years for charges to be dropped, and given the criminal nature of offences under PECA, physical attendance is often required for hearings. One journalist from Punjab shared:

“I haven’t seen a lot of sympathy from the judiciary because going to courts [to get relief] is a very long, expensive and tiring process.”<sup>138</sup>

It was noted that a journalist-centric approach was needed by courts to act as an effective bulwark against misuse of the law. A male journalist from Khyber Pakhtunkhwa opined:

“The judiciary must be sensitised because we often see even senior judges making derogatory comments about journalists and journalism in general. They need to understand what challenges and threats we face.”<sup>139</sup>

## ***Carceral punishment***

The blunt use of criminal laws and punishments to solve problems the state perceives as online misinformation has meant that journalists are subject to offences under PECA and other laws. Many of those interviewed felt that the government often refuses to give access to journalists and other independent bodies to address the issue of misinformation in a meaningful manner:

"The government doesn't like journalists doing their jobs, I have filed so many requests for comment or information that go unanswered. The consequence is that journalists who want to report on the facts are silenced and journalists who come up with the most sensationalist narratives gain traction."<sup>140</sup>

There is a prevailing sense that journalists and the state are caught in a vicious cycle of carcerality, where criminal laws are being used to solve issues that they are not intended to solve. The presence of broad and vague criminal laws provides the government with an easy solution to narratives it does not like. One journalist, working in the field for more than twenty years, noted:

"State institutions, such as the FIA, are more interested in punishing journalists as opposed to making them aware of journalistic ethics or building their capacity to fact-check. They are quick to send notices but rarely engage with journalists' bodies to ensure that journalists understand these laws. They are only working for the protection of the government and officials, and have done very little to work with journalists."<sup>141</sup>

## ***Demonising journalists***

Apart from the appropriation of legislation, the government and state institutions make frequent declarations and statements about digital spaces that demonise journalists and brand the use of social media as "digital terrorism."<sup>142</sup> One journalist interviewed observed that:

"I recognise such language because it has been used in private threats issued to me. These public declarations are often followed by a fresh crackdown on journalists."<sup>143</sup>

An often-cited incident is a press conference<sup>144</sup> by the then-Director General of Inter-Services Public Relations in June 2018, who shared a graphic of "troll accounts spreading propaganda against the army" on social media. This graphic included the names and images of many journalists.<sup>145</sup> State officials will use the bully pulpit of press conferences to identify, single out and target journalists, which creates wider narratives and justification of weaponising the law against them.

### ***Freedom of movement***

While the initiation of inquiries, registration of cases, arrests and disappearances due to online speech can have a detrimental impact on the life, liberty and expression of journalists, the state has also used other restrictions from its legal toolkit to target journalists. In 2024, it emerged that the names of two journalists were placed on the Exit Control List (ECL)<sup>146</sup> after approval from the Federal Cabinet.<sup>147</sup> The ECL and Passport Control List (PCL) have been used as tools to restrict the freedom of movement of activists<sup>148</sup> and political opponents,<sup>149</sup> and there have been instances of journalists being placed on the ECL as well. A male journalist from Azad Jammu and Kashmir pointed out:

"Most people don't realise that having a criminal case against you can have wider ramifications. For instance, your name can be placed on the ECL [Exit Control List] or you could be denied a police character certificate."<sup>150</sup>

While Article 15 of the Constitution of Pakistan, 1973 guarantees the freedom of movement for every citizen, it is subject to "reasonable restriction imposed by law in the public interest, enter and move freely throughout Pakistan and to reside and settle in any part thereof."<sup>151</sup> The use of travel restriction lists is worrying given the arbitrary and non-transparent manner in which names have been placed on it and the difficulty of getting one's name removed from it.<sup>152</sup> Often those on such lists are informed only at the point of departure, i.e. airports, and risk being arrested or detained.<sup>153</sup>



## ***Lack of representation and unionisation***

Many of those interviewed pointed out that 'traditional' or legacy media journalists are protected and recognised by their respective trade bodies such as the All Pakistan Newspapers Association, Federal Union of Journalists, and the Council of Pakistan Newspapers Editors, whereas digital media journalists and content creators who are often subject of these online laws are either not recognized, or lack engagement with these forums. The word 'YouTuber' carries derogatory connotations within journalistic circles and some of the journalists interviewed also expressed apprehension regarding their inclusion within the definition of journalists. One journalist was of the opinion that:

"YouTubers are often posting information and news without verification. As a trained journalist I know how to verify and when to make something public. So even if the state goes after me, I know that I did my homework and there is nothing to fear."<sup>154</sup>

The PECA, however, does not make distinctions between types of journalists. A 2021 report by Freedom Network found that "journalists working for formal media or as freelancers are almost equally likely to be targeted under PECA."<sup>155</sup> While the report also found that two-thirds of those targeted under PECA were members of their local press clubs and four-fifths were members of their local journalists' union, those not covered would have little access to support or resources.

## ***Lack of consultation***

Five out of the seven journalists interviewed identified the lack of inclusion and consultation with journalists as a major reason for laws that violate the right to freedom of expression. A journalist from Islamabad shared that journalists want to engage on the matter of legislation drafting:

"Very few people are against legislation, but it is the kind of legislation that we critique. It is important that the government take all stakeholders on board when drafting laws and listen to the point of view of journalists."<sup>156</sup>

Lack of consultation is a common complaint from civil society and journalist groups. During the drafting process for PECA, the international organisation Article 19 noted that the National Assembly Standing Committee on Information Technology and Telecommunication only released the draft of the Bill publicly two days before it was presented in the Senate.<sup>157</sup> It has become a common practice in online regulation that drafts for laws are released in a unilateral manner, and consultations, if any, are shoe-horned in later as a stop-gap measure to silence criticism regarding the lack of consultation. This backwards approach was witnessed in the roll-out of the Citizens Protection (against Online Harms) Rules, 2020<sup>158</sup> which were withdrawn after backlash<sup>159</sup> but culminated in the Removal and Blocking of Unlawful Online Content (Procedure, Oversight and Safeguards) Rules, 2021.

Even when consultations are held, they are not seen as “meaningful”:

“These laws are being made without meaningful input from journalists and bodies that represent us. When making laws, those most impacted by them should be consulted.”<sup>160</sup>

Another journalist felt that in order for consultations to be meaningful, the government must approach them in good faith:

“A lot of the legislation that happens regarding online spaces does not come from a genuine desire to make these spaces safer. PECA was brought to control spaces, instead of securing them, and that intent is obvious in the way the law is used against journalists.”<sup>161</sup>

### **“Over-regulation”**

“I have yet to come across a law relating to social media or cyber security that does not benefit the state, political parties or social media companies.”<sup>162</sup>

Among journalists there were varied attitudes towards regulation, from some stating that digital spaces were ungovernable<sup>163</sup> to others recognising the importance of at least some regulation. One journalist noted the futility of regulation, particularly centred on censorship:

"Internet over-regulation in many ways has had the opposite effect, it has created more voices and encouraged others to speak—the genie is out of the bottle. Social media is something you cannot curb like other forms of media."<sup>164</sup>

A male journalist from Balochistan opined that regulation in some form is inevitable given the government's desire to control digital spaces:

"[Some] regulation is important because if the government doesn't regulate it might completely ban social media. Regulation is the need of the hour, but what we are seeing is that in the name of regulation laws that curb freedom of expression are being brought... It depends on who is regulating and for what purpose. When it comes to platforms, I feel that their regulation is inadequate in this part of the world because they often don't know the [local] context. When it comes to content regulation by the state, we have seen that laws are deliberately vague so they can be used for their own gains."<sup>165</sup>

Ultimately, it was important for journalists as to what type of regulation was being introduced. A woman journalist from Punjab defined the kind of regulation she wanted to see, and not see:

"Regulation to curb harassment or protect minorities is welcome, but if it is geared towards censorship I am not in favour of it."<sup>166</sup>

Another woman journalist pointed towards the lack of protection for women journalists, despite the presence of laws:

"If PECA law exists [for our protection], I want to ask why has it failed to protect the harassment and trolling women journalists face on social media. I have filed multiple complaints of online harassment, and no action was taken, but if someone from the sitting government files a complaint it is addressed within days."<sup>167</sup>

The spectre of disinformation hung over almost all conversations with journalists, with many grappling with a difficult question: how to deal with disinformation through measures beyond criminal law remedies?

A male journalist from Khyber Pakhtunkhwa noted:

"The issue of 'fake news' will not be solved through laws, ultimately it is an issue of responsible journalism. On one hand we see laws being used to target journalists publishing stories that are well-researched, but on the other hand I won't deny that some journalists are acting irresponsibly online. Journalists have a lot of power—we can make or break someone's reputation—and we need to act responsibly with this power. More than being journalists, we have become activists."<sup>168</sup>

Their own experiences of disinformation-related regulation informed how not to deal with the issue. A woman journalist who received a notice from the FIA stated:

"Online defamation laws were used against me when I shared the news story on social media about a man accused of harassing multiple women. He ended up sending me a notice through the FIA stating that I was spreading disinformation about him."<sup>169</sup>

Lastly, on the subject of regulation, there was also the belief that there was already more than enough regulation:

"There is an excess of laws in this country, since the time of British colonialism. The issue is that there is either lack of implementation or misuse of these laws. We need to look into reform and implementation instead of bringing in newer laws."<sup>170</sup>

### ***Self-censorship***

Everyone interviewed for this report practiced some form of self-censorship, particularly by those who had some experience with receiving legal notices or were arrested by the FIA. A male journalist from Sindh who was detained by the FIA said simply:

"My use of social media has drastically changed since I was arrested by the FIA."<sup>171</sup>

A male journalist from Khyber Pakhtunkhwa shared that their experience of being unlawfully detained informed their cautious approach on social media since then:

"More than laws or the threat of legal action, it is my experience of being arbitrarily detained in 2017 that has made me very cautious on social media. I wrote an investigative story implicating the military and after that was published, I was forcibly disappeared for two days. This was one of the most trying periods in my life. Since then, I am very cautious."<sup>172</sup>

A woman journalist from Punjab also shared that she was unable to speak freely after her run in with the FIA:

"After my experience with the FIA, it became very difficult for me to freely share posts on social media. I realised that the FIA can be weaponised to pursue a case against you if they have the right connections and are a powerful institution. My experience told me that if anything were to happen to me, the FIA was not going to help me. I recently did a story about a case where a woman went to the FIA to report a case of harassment and had her devices confiscated instead of the devices of the accused. I've lost the little trust I had in the FIA since then."<sup>173</sup>

Even for journalists who don't have direct experience with the law, the law has had a subconscious effect on them. A male journalist shared:

"Even if cases are not filed against you, the presence of laws such as PECA has given the government something to threaten journalists with."<sup>174</sup>

### ***Professional regulation***

Another form of regulation for journalists comes through their employers, in both traditional and non-traditional media houses. While most media houses and organisations in Pakistan do not have a codified social media

policy for their employees, there is an implicit understanding that journalists are to act in ways on social media that will not create liabilities for their organisations. A male journalist from Sindh shared that his organisation asked him to delete several social media posts:

"I was asked to delete several posts [by my employer]. These are posts they thought would create 'trouble,' and if you don't [comply] there is a big threat of job security."<sup>175</sup>

Facing legal action from the FIA or law enforcement on the basis of one's social media, no matter how unlawful, negatively impacts a journalist's reputation, often being seen as 'troublemakers,' 'too outspoken,' or 'unprofessional.' A woman journalist from Punjab shared the ordeal of negative reaction from her employer after she received a notice from the FIA:

"When the FIA case against me was ongoing, I was sent a defamation notice at my workplace while I wasn't at the office. The notice didn't cite any laws, and I was told [by lawyers that] it carried no legal weight. However, I faced a lot of backlash from the office management who said that I was 'irresponsible' on social media.' This greatly impacted my mental health to the point I was suicidal."<sup>176</sup>

### ***"Gives you pause": Extra-legal measures***

"When we are doing investigative stories, we take on the risk of legal action but if the consequence is threats to your family, it gives you pause."<sup>177</sup>

Legal action against journalists has been accompanied by short-term disappearances as well as other intimidation tactics before filing a case. In some cases, disappearances have taken place after charges have been brought against journalists.<sup>178</sup> There is an increasing pattern of journalists being forcibly disappeared for short periods before being presented in a police station with an FIR implicating them in a case. The UN Working Group on Enforced or Involuntary Disappearances stated in a joint statement noted that "due to their duration, so-called short-term enforced disappearances pose particular challenges in access to domestic

authorities and international mechanisms.”<sup>179</sup> The application of laws such as PECA and other legislation after the “return” of a journalist can help provide retrospective cover to the enforced disappearance.

“There is a trend of journalists being picked up and if there was backlash, the journalist was turned over to the FIA to pursue a case against them.”<sup>180</sup>

In addition to disappearances, intimidation tactics such as calls and visits by state authorities to warn off journalists is fairly common, with all the journalists interviewed for this report stating that they had received such threats. A woman journalist from Islamabad shared her experience, which also involved visits to her family home:

“This happened to me when I had filed a right to information request with a government body that didn’t want to give information. When I kept pressing, they sent people to my house for three consecutive days, questioning my father and other family members. It sent me an indirect message. Being a woman these threats can be quite effective since my family wasn’t encouraging of my profession in the first place—they often ask me to quit.”<sup>181</sup>

For many journalists, despite the abuses of the legal system, the threat of state action outside the law was the biggest threat. When asked if they fear legal action under PECA more, or extra-legal action, all of them said they feared the latter more. A male journalist from Sindh noted:

“Extra-legal measures, like disappearances, remain the bigger threat than legal action because at least if [the state] do it legally you have some rights, like access to a lawyer and are presented in court. I was taken away in an extrajudicial manner but at least there was an FIR eventually and court proceedings, but something that is off the books is very dangerous as there is no accountability.”<sup>182</sup>

## **Community support**

Amid legal action and harassment by the state, journalists have very few avenues of support to turn to. Most journalists identified press clubs and journalist unions as the most effective forums to raise their grievances and individual cases if the need arose. A male journalist from Islamabad described this solidarity-based support from the journalists' community:

"Even when we disagree with colleagues, especially those on digital media, if they face harassment from the state or law enforcement we see broad-based support from fellow journalists as well as support from like-minded members of the legal community. It is often due to this support that journalists are recovered."<sup>183</sup>

A journalist from Balochistan stated that while there is support from journalism bodies, it might not cover all journalists on social media:

"I feel that there is support from the journalist community, from the press clubs and the union bodies in the form of press releases, protests and other pressure tactics. But that support is limited to members of the clubs and unions, journalists who are not members can only find support if they have personal connections."<sup>184</sup>

Additionally, lesser-known journalists are less likely to receive peer support:

"When it comes to very famous journalists, everyone will speak up for them and lawyers are willing to represent them pro bono. But for journalists who are not as well known, there is limited support and virtually no funds."<sup>185</sup>

Other avenues of support for journalists bearing the brunt of online laws include the legal fraternity and civil society organisations. In 2020, the Pakistan Bar Council (PBC) announced the constitution of a "Journalists Defence Committee" to provide free legal assistance and services to journalists.<sup>178</sup> However, the Committee was primarily active between 2020 to 2021 and has been unable to sustain its support. Other support, from civil society and individual lawyers, is more sporadic. In the experience of one of



the journalists we interviewed, support from civil society and activist lawyers was effective:

"Lawyers and civil society organisations were very helpful in my case and provided me with legal representation. I was also supported by the media organisation that I was working for."<sup>187</sup>

## Conclusion

"The net result of these laws is negative."<sup>188</sup>

Regulatory tools for digital spaces in Pakistan consist of a number of regulatory levers, primarily consisting of criminal laws and a broad content moderation regime that gives the government a wide berth to censor content. While outside the scope of this report, Pakistan's technological landscape, consisting of surveillance and disruptive technologies to regulate the internet, is emerging as an equally potent force as its legal apparatus.<sup>189</sup> Together, this techno-legal machinery applied to a political context with an eroding rule of law, resulting in online media freedoms being under attack from all sides.



Journalists remain particularly precarious in this increasingly restrictive online environment given their outsized visibility and centrality to freedom of expression. This report paints a picture of journalists under attack from the state's lawfare. The full impact of the broad and rights-restrictive Prevention of Electronic Crimes Act, 2016 has set in, as harassment of journalists under the law is commonplace and self-censorship is the norm.

This report concludes that the way forward is drastic revision of existing laws, including wholesale repeal of sections and legislation, and radical reform of law enforcement agencies to ensure accountability for abuses of the law against journalists, and all those dissenting in digital spaces. in digital spaces.

# Recommendations

1. Reverse the Prevention of Electronic Crimes (Amendment) Act, 2025 and substantially review and amend the Prevention of Electronic Crimes Act, 2016 in line with human rights law standards, particularly repealing speech-restrictive sections such as Sections 2, 9, 10, 11, 20, and 26A.
  - a. Repeal the Punjab Defamation Act, 2024 with immediate effect and ensuring that no cases are filed under the Act.
  - b. Decriminalise defamation by repealing section 20 of the Prevention of Electronic Crimes Act, 2016 and criminal defamation Sections (499 and 500) from the Pakistan Penal Code, 1860.
  - c. Cease use of and repeal from statute books the sedition law in the Pakistan Penal Code, 1860 in compliance orders of the Lahore High Court.<sup>190</sup>
  - d. Drop all legislative proposals to strengthen powers of the government to regulate digital spaces, including the forthcoming Prevention of Electronic Crimes (Amendment) Act.<sup>191</sup>
2. Establish an independent oversight body, comprising a majority of civil society experts and a minority of government officials, to review and monitor internet censorship and throttling decisions, ensuring transparency, accountability, and adherence to international human rights standards.
3. Develop robust procedures and right to effective remedy, including compensation for unlawful detention and frivolous cases, for anyone accused of online speech-related offences.
4. Formulate and notify rules under the Protection of Journalists and Media Professionals Act, 2021, and formation of the Commission for the Protection Journalists and Media Professionals (CPJMP) as per section 12 of the Act.

- a. Formulation of specific guidelines and SOPs for law enforcement agencies to ensure safeguarding of privacy of journalists and confidentiality of sources (as per section 4(4) of the Protection of Journalists and Media Professionals Act, 2021).
5. Ensure that any future legislation relating to digital spaces and technological regulation is developed in consultation with all stakeholders, particularly a broad cross-section of relevant stakeholders, including civil society organizations, journalists, media professionals and the technical community.
6. Take measures to institute effective human rights training for law enforcement officials—including the police, FIA or any other investigative body dealing with online laws—to ensure that rights of journalists and all other defendants are upheld.
  - a. Mandatory training on human rights approach to regulation of digital spaces and technologies at all judicial academies, including courses for the higher and lower judiciary.
  - b. Institute human rights training courses at prosecutor's offices across the country, with a focus on the intersection of human rights and digital technologies.

# BIBLIOGRAPHY

- 1 Interview with journalist 3, 20 September 2024.
- 2 "Civil Society Submission to the Human Rights Committee's Review of Pakistan in the 142nd Session [14 October 2024 – 8 November 2024]," *Digital Rights Foundation*, [https://digitalrightsfoundation.pk/wp-content/uploads/2024/10/INT\\_CCPR\\_CSS\\_PAK\\_59847\\_E.pdf](https://digitalrightsfoundation.pk/wp-content/uploads/2024/10/INT_CCPR_CSS_PAK_59847_E.pdf).
- 3 *Human Rights Committee*, "Concluding observations on the second periodic report of Pakistan," 2 December 2024, CCPR/C/PAK/CO/2, [https://tbinternet.ohchr.org/\\_layouts/15/treatybodyexternal/Download.aspx?symbolno=CCPR%2F%2FPAK%2FCO%2F2&Lang=en](https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CCPR%2F%2FPAK%2FCO%2F2&Lang=en).
- 4 Prevention of Electronic Crimes Act, 2016, passed 19 August 2016, ACT NO. XL OF 2016, No. F.22(3)/2015-Legis., <https://nacta.gov.pk/wp-content/uploads/2017/08/Prevention-of-Electronic-Crimes-Act-2016.pdf>.
- 5 Prevention of Electronic Crimes (Amendment) Act 2025, passed 29th January 2025, ACT NO. II OF 2025, No. F. 9(05)/2025-Legis., [https://www.na.gov.pk/uploads/documents/679b243193585\\_457.pdf](https://www.na.gov.pk/uploads/documents/679b243193585_457.pdf).
- 6 *National Action Plan*, 2014, <https://nacta.gov.pk/laws-policies/nap-2014/>.
- 7 "As it happened: Pakistan school attack," *BBC News*, December 16, 2014, <https://www.bbc.com/news/live/world-asia-30491113>.
- 8 *National Action Plan*, 2014.
- 9 For instance, blocking of websites and social media platforms such as YouTube took place from 2012 to 2016 and laws such as the Electronic Transactions Ordinance, 2002 were used in cases of offences such as damage to information systems, falsification of information and privacy breaches.
- 10 "The Prevention of Electronic Crimes Bill 2015 - An Analysis June 2016," *Privacy International, Digital Rights Foundation and Article 19*, June 2016, <https://www.article19.org/data/files/mediabrary/38416/PECB-Analysis-June-2016.pdf>.
- 11 "UN expert urges Pakistan to ensure protection of freedom of expression in draft Cybercrime Bill," *United Nations Office of The High Commissioner for Human Rights*, December 14, 2015, <https://www.ohchr.org/en/statements/2015/12/un-expert-urges-pakistan-ensure-protection-freedom-expression-draft-cybercrime?LangID=E&NewsID=16879>.
- 12 Prevention of Electronic Crimes (Amendment) Act, 2023, [https://www.senate.gov.pk/uploads/documents/1655188090\\_279.pdf](https://www.senate.gov.pk/uploads/documents/1655188090_279.pdf).
- 13 Prevention of Electronic Crimes (Amendment) Act, 2025.
- 14 *Pakistan Federal Union of Journalists v President of Pakistan*, Islamabad High Court, April 8, 2022, W.P. No.666/2022, <https://digitalrightsmonitor.pk/wp-content/uploads/2022/04/P-FUJ-v-The-President-of-Pakistan-etc-WP-No-666-of-2022.pdf>.

- 15 *Meera Shafi v Federation of Pakistan*, Lahore High Court, Writ Petition No. 24397/2021, March 11, 2022, <https://sys.lhc.gov.pk/appjudgments/2022LHC1786.pdf>.
- 16 Umer Mehtab, "SC releases cause list for cases to be heard by constitutional bench," *Dawn*, November 13, 2024, <https://www.dawn.com/news/1872139>.
- 17 Asif Chaudhry, "FIA closes 7,000 cases filed under amended Peca ordinance," *Dawn*, April 11, 2022, <https://www.dawn.com/news/1684397>.
- 18 December 2024.
- 19 "Section 20 of Pakistan's Prevention of Electronic Crimes Act: Urgent Reforms Needed," *Clooney Foundation for Justice*, September, 2023, [https://cfj.org/wp-content/uploads/2023/10/Pakistan\\_PECA-Report\\_September-2023.pdf](https://cfj.org/wp-content/uploads/2023/10/Pakistan_PECA-Report_September-2023.pdf)
- 20 Article 26A: "Punishment for false and fake information.—Whoever intentionally disseminates, publicly exhibits, or transmits any information through any information system,, that he knows or has reason to believe to be false or fake and likely to cause or create a sense of fear, panic or disorder or unrest in general public or society shall be punished with imprisonment which may extend upto three years or with fine which may extend to two million rupees or with both."
- 21 "The Prevention of Electronic Crimes (Amendment) Act, 2025: DRF Analysis and Recommendations," Digital Rights Foundation, January 2025, <https://digitalrightsfoundation.pk/wp-content/uploads/2025/01/The-Prevention-of-Electronic-Crimes-Amendment-Act-2025-DRF-Analysis-and-Recommendations.pdf>.
- 22 Sections 10 and 11 of PECA were included in the FIR against Shahzeb Jillani on April 6, 2019 for "sarcastic, derogatory, disrespectful and defamatory language" against state institutions. Naeem Sahoutara, "Alleged defamation of state institutions: Journalist Shahzeb Jillani's bail extended by 2 days," *Dawn*, April 15, 2019, <https://www.dawn.com/news/1476297>.
- 23 Journalist Rizwanur Rehman Razi was implicated in an FIR under section 11 of PECA, along with section 20 of PECA and 500 of the PPC, on February 8, 2019 for allegedly posting "defamatory and obnoxious" content against the judiciary, government institutions and intelligence agencies on his Twitter account.  
"FIA books TV host Rizwan 'Dada' under Peca, PPC for 'defaming' state institutions," *Dawn*, February 9, 2019, <https://www.dawn.com/news/1462793/fia-books-tv-host-rizwan-dada-under-peca-ppc-for-defaming-state-institutions>.
- 24 Section 24 of PECA was used in the FIR dated February 26, 2024 against journalist Asad Toor. "Asad Toor remanded to FIA for five days," *Dawn*, February 28, 2024, <https://www.dawn.com/news/1817653>.
- 25 Tahir Naseer and Shakeel Qarar, "FIA arrests media personality Mohsin Jamil Baig, sessions court declares raid illegal," *Dawn*, February 16, 2022, <https://www.dawn.com/news/1675407>.
- 26 "Civil Society Strongly Condemns the Prevention of Electronic Crimes (Amendment) Ordinance, 2022," Digital Rights Foundation, February 22, 2022, <https://digitalrightsfoundation.pk/civil-society-strongly-condemns-the-prevention-of-electronic-crimes-amendment-ordinance-2022/>.
- 27 Interview with journalist 5, 27 September 2024.

- 28 Tahir Naseer, "Journalist Waqar Satti booked for allegedly linking 'disrespectful' statements about Islam to Imran," *Dawn*, August 28, 2022, <https://www.dawn.com/news/1707201>.  
Tahir Naseer and Shakeel Qarar, "FIA arrests media personality Mohsin Jamil Baig, sessions court declares raid illegal," *Dawn*, February 16, 2022, <https://www.dawn.com/news/1675407>.  
"Journalists Amir Mir and Imran Shafqat released on personal bond," *The News International*, August 7, 2021, <https://www.thenews.com.pk/latest/874774-fia-releases-journalists-amir-mir-and-imran-shafqat-on-personal-bond>.  
Imtiaz Ali, "Express Tribune journalist Bilal Farooqi arrested in Karachi for 'defaming Pakistan Army'," *Dawn*, September 11, 2020, <https://www.dawn.com/news/1579118>.  
"FIR registered against journalist Asad Toor for 'negative propaganda' against army," *Dawn*, September 15, 2020, <https://www.dawn.com/news/1579824>.  
Muhammad Shahzad, "TV anchor Rizwan Razi arrested for 'defaming state institutions'," *Express Tribune*, February 09, 2019, <https://tribune.com.pk/story/1907030/tv-anchor-rizwan-razi-arrested-defaming-state-institutions>.
- 29 Punjab Defamation Act, 2024, Act II of 2024, <http://punjablaws.gov.pk/laws/2884.html>.
- 30 Section 2(b), Punjab Defamation Act, 2024.
- 31 Wajih Ahmad Sheikh, "No proceedings started under Defamation Act, LHC told," *Dawn*, July 5, 2024, <https://www.dawn.com/news/1843887>.
- 32 Wajih Ahmad Sheikh, "Punjab defamation law challenged hours after its approval," *Dawn*, June 9, 2024, <https://www.dawn.com/news/1838774>.
- 33 Arshad Ali, "LHC stops Punjab govt from implementation of key sections of defamation law," June 11, 2024, *Samaa*, [https://www.samaa.tv/2087316260-lhc-stops-punjab-govt-imple-mentation-of-key-sections-of-defamation-law](https://www.samaa.tv/2087316260-lhc-stops-punjab-govt-implementation-of-key-sections-of-defamation-law).
- 34 "Punjab Defamation Bill 2024," *Digital Rights Foundation*, May 2024, <https://digitalrightsfoundation.pk/wp-content/uploads/2024/05/Comparison-and-Legal-Analysis-of-Punjab-Defamation-Bill-2024.pdf>.
- 35 Interview of journalist 5, September 27, 2024.
- 36 Pakistan Army (Amendment) Act, 2023, ACT No. LXII of 2023, *Gazette of Pakistan*, No. F. 9(30)/2023-Legis, [https://molaw.gov.pk/SitelImage/Downloads/PAK%20Army%20\(Amend-ment\)%20Act,%202023.pdf](https://molaw.gov.pk/SitelImage/Downloads/PAK%20Army%20(Amend-ment)%20Act,%202023.pdf).
- 37 Section 55B, Pakistan Army (Amendment) Act, 2023.
- 38 Section 55C, Pakistan Army (Amendment) Act, 2023.
- 39 The Official Secrets (Amendment) Act, 2023, ACT No. LXIII of 2023, *Gazette of Pakistan*, No. F. 9(38)/2023-Legis, [https://molaw.gov.pk/SitelImage/Downloads/Official%20Secrets%20\(Amendment\)%20Act,%202023.pdf](https://molaw.gov.pk/SitelImage/Downloads/Official%20Secrets%20(Amendment)%20Act,%202023.pdf).
- 40 Section 2(a), Official Secrets (Amendment) Act, 2023.
- 41 Section 2(f), Official Secrets (Amendment) Act, 2023.

- 42 “Pakistan Penal Code, 1860 (Act XLV of 1860) to apply.—The provisions of the Pakistan Penal Code, 1860 (Act XLV of 1860), to the extent not inconsistent with anything provided in this Act. shall apply to the offences provided in this Act.”
- 43 “124-A. Sedition: Whoever by words, either spoken or written, or by signs, or by visible representation, or otherwise, brings or attempts to bring into hatred or contempt, or excites or attempts to excite disaffection towards, the Federal or Provincial Government established by law shall be punished with imprisonment for life to which fine may be added, or with imprisonment which may extend to three years, to which fine may be added, or with fine.  
 Explanation 1: The expression disaffection includes disloyalty and all feelings of enmity.  
 Explanation 2: Comments expressing disapprobation of the measures of the Government with a view to obtain their alteration by lawful means, without exciting or attempting to excite hatred, contempt or disaffection, do not constitute an offence under this section.  
 Explanation 3: Comments expressing disapprobation of the administrative or other action of the Government without exciting or attempting to excite hatred, contempt or disaffection, do not constitute an offence under this section.”
- 44 “504. Intentional insult with intent to provoke breach of the peace: Whoever intentionally insults, and thereby gives provocation to any person, intending or knowing it to be likely that such provocation will cause him to break the public peace, or to commit any other offence, shall be punished with imprisonment of either description for a term which may extend to two years, or with fine, or with both.”  
 “505. Statements conducing to public mischief:  
 (1) Whoever makes, publishes, or circulates any statement, rumour or report- (a) with intent to cause or incite, or which is likely to cause or incite, any officer, soldier, sailor, or airman in the Army, Navy or Air Force of Pakistan to mutiny, offence or otherwise disregard or fail in his duty as such; or (b) with intent to cause, or which is likely to cause, fear or alarm to the public or to any section of the public whereby any person may be induced to commit an offence against the State or against the public tranquillity; or (c) with intent to incite, or which is likely to incite, any class or community of persons to commit any offence against any other class or community, shall be punished with imprisonment for a term which may extend to seven years and with fine.  
 (2) Whoever makes, publishes or circulates any statement or report containing rumour or alarming news with intent to create or promote, or which is likely to create or promote, on grounds of religion, race, place of birth, residence, language, caste or community or any other ground whatsoever, feelings of enmity, hatred or ill-will between different religious, racial, language or regional groups or castes or communities, shall be punished with imprisonment for a term which may extend to seven years and with fine.  
 Explanation: It does not amount to an offence within the meaning of this section, when the person making, publishing or circulating any such statement, rumour or report has reasonable grounds for believing that such statement, rumour or report is true and makes, publishes or circulates it in good faith and without any such intent as aforesaid.”
- 45 FIA is the designated investigative agency under section 29 of PECA.
- 46 “505. Statements conducing to public mischief:  
 (1) Whoever makes, publishes, or circulates any statement, rumour or report-  
 (a) with intent to cause or incite, or which is likely to cause or incite, any officer, soldier, sailor, or airman in the Army, Navy or Air Force of Pakistan to mutiny, offence or otherwise disregard or fail in his duty as such; or  
 (b) with intent to cause, or which is likely to cause, fear or alarm to the public or to any



- section of the public whereby any person may be induced to commit an offence against the State or against the public tranquillity; or
- (c) with intent to incite, or which is likely to incite, any class or community of persons to commit any offence against any other class or community, shall be punished with imprisonment for a term which may extend to seven years and with fine.
- (2) Whoever makes, publishes or circulates any statement or report containing rumour or alarming news with intent to create or promote, or which is likely to create or promote, on grounds of religion, race, place of birth, residence, language, caste or community or any other ground whatsoever, feelings of enmity, hatred or ill-will between different religious, racial, language or regional groups or castes or communities, shall be punished with imprisonment for a term which may extend to seven years and with fine.
- Explanation: It does not amount to an offence within the meaning of this section, when the person making, publishing or circulating any such statement, rumour or report has reasonable grounds for believing that such statement, rumour or report is true and makes, publishes or circulates it in good faith and without any such intent as aforesaid.”
- 47 Federal Investigation Agency Act, 1974, ACT No. VIII OF 1975, January 13, 1974, <https://pakistancode.gov.pk/english/UY2FqaJw1-apaUY2Fqa-bpuUY2Zr-sg-jjjjjjjjjjjj>.
- 48 MOI Notification No. F.No. 4/24/2022-FIA.
- 49 Riazul Haq, “Govt empowers FIA to act against social media posts against state institutions,” *Dawn*, November 1, 2022, <https://www.dawn.com/news/1718268>.
- 50 Federal Investigation Agency (Amendment) Act, 1974, introduced January 16, 2023, *Senate of Pakistan*, [https://www.senate.gov.pk/uploads/documents/1674013687\\_835.pdf](https://www.senate.gov.pk/uploads/documents/1674013687_835.pdf).
- 51 Interview of journalist 2, September 21, 2024.
- 52 For instance, section 6 of the Anti-Terrorism Act was applied to an FIR against journalist Ahamad Farhad along with sections 324, 489-Y, 109, 120-B, 148, 149, 186, 147, and 353 of the Azad Penal Code for his social media posts during protests by the Jammu Kashmir Joint Awami Action Committee (JAAC) in May 2024.  
“Jail for Ahmad Farhad: Charged for terrorism by ATC, declared ‘missing’ by IHC,” *VoicePk*, June 10, 2024, <https://voicepk.net/2024/06/ahmad-farhad-sent-to-jail-on-14-day-remand-charged-for-terrorism-by-atc-declared-missing-by-ihc/>.
- 53 Mehram Ali v Federation of Pakistan, PLD 1998 SC 1445.
- 54 *Ghulam Hussain v The State*, Criminal Appeal No 95 and 96 of 2019, Civil Appeal No 10-L of 2017 and Criminal Appeal No 63 of 2013, [https://www.supremecourt.gov.pk/downloads\\_-\\_judgements/crl.a.\\_95\\_2019.pdf](https://www.supremecourt.gov.pk/downloads_-_judgements/crl.a._95_2019.pdf).
- 55 In October 2024, 3 journalists in Khyber Pakhtunkhwa were added to the Fourth Schedule of the ATA as proscribed individuals.  
Zia Ur Rehman, “Fourth Schedule: Combating terrorism or silencing dissent?,” *Dawn*, October 16, 2024, <https://www.dawn.com/news/1864730>.
- 56 Sameer Mandhro, “Controlling the pen: 50 journalists booked in ‘fake cases’ of kidnapping, extortion,” *The Express Tribune*, December 21, 2019, <https://tribune.com.pk/story/2122089/1-controlling-pen-50-journalists-booked-fake-cases-kidnapping-extortion>.

- 57 “10. Cyber terrorism.—Whoever commits or threatens to commit any of the offences under sections 6, 7, 8 or 9, where the commission or threat is with the intent to- (a) coerce, intimidate, create a sense of fear, panic or insecurity in the Government or the public or a section of the public or community or sect or create a sense of frat or insecurity in society; or (b) advance inter-faith, sectarian or ethnic hatred; or (c) advance the objectives of organizations or individuals or groups proscribed under the law, shall be punished with imprisonment of either description for a term which may extend to fourteen years or with fine which may extend to fifty million rupees or with both.”
- 58 Interview of journalist 7, 29 October 2024.
- 59 “9. Glorification of an offence.—(I) Whoever prepares or disseminates information, through any information system or device, with the intent to glorify an offence relating to terrorism, or any person convicted of a crime relating to terrorism, or activities of proscribed organizations or individuals or groups shall be punished with imprisonment for a term which may extend to seven years or with fine which may extend to ten million rupees or with both. Explanation—For the purposes of this section “glorification” includes depiction of any form of praise or celebration in a desirable manner.”
- 60 “White Paper on Reforms for the Prevention of Electronic Crimes Act (PECA) 2016,” *Media Matters for Democracy*, May 2020, <https://www.cpd-pakistan.org/wp-content/uploads/2021/01/WPPecaReforms-refined.pdf>.
- 61 Removal and Blocking of Unlawful Online Content (Procedure, Oversight and Safeguards) Rules, 2021, S.R.O. 1343(I)/2021, *Gazette of Pakistan*, October 13, 2021, [https://www.pta.gov.pk/assets/media/removal\\_blocking\\_unlawful\\_content\\_rules\\_2021\\_20102021.pdf](https://www.pta.gov.pk/assets/media/removal_blocking_unlawful_content_rules_2021_20102021.pdf).
- 62 “Amicus Brief on Removal and Blocking of Unlawful Online Content (Procedure, Oversight and Safeguards) Rules, 2021,” *Digital Rights Foundation*, January 2022, <https://digitalrights-foundation.pk/wp-content/uploads/2022/04/Social-Media-Rules-Amicus-Brief-January-2022-1.docx.pdf>.
- 63 Section 2A of the Prevention of Electronic Crimes (Amendment) Act 2025: “Establishment of the Authority.—
- (1) As soon as may be after the commencement of the Prevention of Electronic Crimes (Amendment) Act, 2025 (of 2025), the Federal Government shall, by notification in the official Gazette, establish an Authority to be known as the Social Media Protection and Regulatory Authority for carrying out the purposes of this Act.
  - (2) The Authority shall be a body corporate having perpetual succession and a common seal and may sue and be sued in its own name with powers subject to and for the purposes of this Act to hold and dispose of property and to enter into contract.
  - (3) The principal office of the Authority shall be at Islamabad and it may set up other offices in the provincial capitals and at such other places across Pakistan as the Authority may deem appropriate.”
- 64 The Prevention of Electronic Crimes (Amendment) Act 2025, Section 2B.
- 65 Section 2R: “Unlawful or offensive online content.—
- (1) The Authority shall have the power to issue directions to a social media platform for removal or blocking of online content, if such online content—
    - (a) is against the ideology of Pakistan, etc.;
    - (b) incites the public to violate the law, take the law in own hands, with a view to coerce, intimidate or terrorize public, individuals, groups, communities, govern-

- ment officials and institutions;
  - (c) incites public or section of public to cause damage to governmental or private property;
  - (d) coerce or intimidate public or section of public and thereby preventing them from carrying on their lawful trade and disrupts civic life;
  - (e) incites hatred and contempt on religious, sectarian or ethnic basis to stir up violence or cause internal disturbance;
  - (f) contains anything obscene or pornographic in contravention of any applicable law;
  - (g) is known to be fake, or false or there exist sufficient reasons to believe that the same may be fake or false beyond a reasonable doubt;
  - (h) contains aspersions against any person including members of Judiciary; Armed Forces, Majlis-e-Shoora (Parliament) or a Provincial Assembly; or
  - (i) promotes and encourages terrorism and other forms of violence against the State or its institutions.
- (2) Without prejudice to any other restrictions in this regard, while reporting the proceedings of the Majlis-e-Shoora (Parliament) or a Provincial Assembly, such portion of the proceedings as the Chairman of the Senate, the Speaker of the National Assembly or, as the case may be, Speaker of the Provincial Assembly may have ordered to be expunged, shall not be streamed or made available for viewing on social media platforms in any manner and every effort shall be made to release a fair account of the proceedings.
- (3) The statements of prescribed organizations or their representatives or members thereof shall not be streamed or made available for viewing on social media platforms in any manner.”
- 66 “The Prevention of Electronic Crimes (Amendment) Act, 2025: DRF Analysis and Recommendations,” Digital Rights Foundation, January 2025, The Prevention of Electronic Crimes (Amendment) Act, 2025.
- 67 Pakistan Telecommunication (Re-Organization) Act, 1996, Act No. XVII of 1996, October 17, 1996, [https://www.pta.gov.pk/assets/media/pta\\_act\\_consolidated\\_footnotes\\_11012022.pdf](https://www.pta.gov.pk/assets/media/pta_act_consolidated_footnotes_11012022.pdf).
- 68 “8. Power of the Federal Government to issue policy directives.—(2) The matters on which the Federal Government may issue policy directives shall be—(c) requirements of national security and of relationships between Pakistan and the Government of any other country or territory outside Pakistan and other States or territories outside Pakistan.”
- 69 Sardar Sikander Shaheen, “Cellphone service in twin cities restored; internet remains suspended: Islamabad in lockdown before protest march,” *Business Recorder*, November 25, 2024, <https://www.brecorder.com/news/40334259/cellphone-service-in-twin-cities-restored-internet-remains-suspended-islamabad-in-lockdown-before-protest-march>.
- 70 Nadir Guramani, “Mobile internet services suspended in certain areas of Balochistan to ‘ensure public safety’, says PTA,” *Dawn*, November 15, 2024, <https://www.dawn.com/news/1872566>.
- 71 “‘Inherently undemocratic’: Pakistan suspends mobile services on voting day,” *Al Jazeera*, February 8, 2024, <https://www.aljazeera.com/news/2024/2/8/inherently-undemocratic-pakistan-suspends-mobile-services-on-voting-day>.
- 72 Interview of journalist 1, August 17, 2024.

- 73 Pakistan Telecommunication Authority v CM Pak Limited, Civil Appeals No. 977 & 978 of 2018 AND C.M.A. No. 3658/2019, Supreme Court of Pakistan, April 22, 2020, [https://www.supremecourt.gov.pk/downloads\\_judgements/c.a.\\_977\\_2018.pdf](https://www.supremecourt.gov.pk/downloads_judgements/c.a._977_2018.pdf).
- 74 *Ultra vires* directly translates as “beyond the powers,” i.e. powers or actions by an entity that exceed the “legal scope of its authority”  
“*Ultra Vires*.” Legal Information Institute, Legal Information Institute, [https://www.law.cornell.edu/wex/ultra\\_vires](https://www.law.cornell.edu/wex/ultra_vires).
- 75 CM Pak Limited v Pakistan Telecommunication Authority, FAO No. 42 of 2016, *Islamabad High Court*, February 26, 2018, <https://mis.ihc.gov.pk/attachments/judgements/F.A.O.%2042-2016%20Against%20Order%20-finalFAONo.42of2016.CMPakLimitedv.ThePTA,etc.636552442049031490.pdf>.
- 76 Interview of journalist 7, October 29, 2024.
- 77 Interview of journalist 1, August 17, 2024.
- 78 Muhammad Aftab Alam, “Pakistan’s PECA problem: Curbing speech, not crime,” *Institute for Research, Advocacy and Development*, May 2023, <https://www.iradapk.org/wp-content/uploads/2023/05/PECA-Report.-Published-pdf.pdf>.
- 79 An ‘authorised officer’ an officer authorised by the Director General of the FIA as per Rule 2(d) of the Prevention of Electronic Crimes Investigation Rules, 2018.
- 80 Prevention of Electronic Crimes Investigation Rules, 2018, S.R.O. 979(I)/2018, July 20, 2018, <https://www.nr3c.gov.pk/pecorules18.pdf>.
- 81 The two cities are 1,221.8 km apart by road.
- 82 Interview with journalist 5, September 27, 2024.
- 83 Summon dated 7 May 2022, Enquiry No. 296/2022 of FIA, CCRC, Islamabad.
- 84 Rehan Piracha, “How apex courts have stepped in to stop harassment of journalists,” *VoicePK*, 20 January 2024, <https://voicepk.net/2023/01/how-apex-courts-have-stepped-in-to-stop-harassment-of-journalists/>.
- 85 Interview with journalist 5, September 27, 2024.
- 86 Muhammad Arshad versus Federation of Pakistan, PLD 2021 *Islamabad* 42, *Islamabad High Court*, November 3, 2020, [https://mis.ihc.gov.pk/attachments/judgements/W.P-2939-2020\\_637406912282280654.pdf](https://mis.ihc.gov.pk/attachments/judgements/W.P-2939-2020_637406912282280654.pdf).
- 87 Muhammad Arshad versus Federation of Pakistan.
- 88 *Shandanda Gulzar Khan v Federation of Pakistan*, Writ Petition No.1465-P of 2024, June 27, 2024, <https://www.peshawarhighcourt.gov.pk/PHCCMS/judgments/WP-No.-1465-P-of-2024-.pdf>.
- 89 Interview with journalist 3, September 20, 2024.

- 90 National Cyber Crimes Investigation Agency (Establishment, Powers and Functions) Rules, 2024, S.R.O.626(I)/2024, April 24, 2024.
- 91 Zulqernain Tahir and Kalbe Ali, "Body to regulate 'unbridled' social media set up," *Dawn*, May 4, 2024, <https://www.dawn.com/news/1831338>.
- 92 Syed Irfan Raza, "Cybercrime body's future in limbo after rules repealed," *Dawn*, October 24, 2024, <https://www.dawn.com/news/1867281>.
- 93 Kalbe Ali, "Govt disbands NCCIA, revives FIA wing," *Dawn*, December 12, 2024, <https://www.dawn.com/news/1878233/govt-disbands-nccia-revives-fia-wing>.
- 94 December 2024.
- 95 "National Forensic Agency Act, 2024," introduced November 17, 2024, *Senate*, [https://senate.gov.pk/uploads/documents/1729592322\\_462.pdf](https://senate.gov.pk/uploads/documents/1729592322_462.pdf).
- 96 "Govt looks to set up cybercrime forensics agency," *Dawn*, December 13, 2024, <https://www.dawn.com/news/1878385/govt-looks-to-set-up-cybercrime-forensics-agency>.
- 97 "Senate unanimously passes National Forensic Agency Bill, 2024," *Dawn*, December 13, 2024, <https://www.dawn.com/news/1878521>.
- 98 Section 2A, Prevention of Electronic Crimes (Amendment) Act, 2024, draft reviewed by by Digital Rights Foundation.
- 99 Section 2B, Prevention of Electronic Crimes (Amendment) Act, 2024.
- 100 The draft of the PECA Amendments, made public in late December 2024, expand the powers to regulate content under section 37 to the following:  
 "2Q. Unlawful online content. —  
 (1) The Authority shall have the power to issue directions to social media platforms for removal or blocking of online content if such online content—  
 (a) is against the glory of Islam, Islamic teachings and values;  
 (b) is against the ideology of Pakistan etc.;  
 (c) incites or is likely to incite public to take the law in own hands, with a view to coerce, intimidate or terrorize public, individuals, groups, communities, government officials and institutions, including law enforcement agencies;  
 (d) incites or is likely to incite grievous damage to property including government premises, official installations, schools, hospitals, offices or any other public or private property including damaging property by ransacking, looting or arson or by any other means;  
 (e) creates a serious risk to safety of the public or a section of the public, or is designed to frighten the general public and thereby prevent them from coming out and carrying on their lawful trade and daily business, and disrupts civic life;  
 (f) incites hatred and contempt on religious, sectarian or ethnic basis to stir up violence or cause internal disturbance;  
 (g) incites any person to act in a manner prejudicial to public safety or the maintenance of public order;  
 (h) contains anything obscene or pornographic in contravention of any law for the time being in force;  
 (i) contains abusive content that incites hatred against any individual or group of persons, on the basis of race, caste, nationality, ethnic or linguistic origin, colour,

- religion, sect, gender, age, mental or physical disability;
  - (j) is in violation of copyrights or any other intellectual property rights as protected under any law for the time being in force;
  - (k) is likely to incite, aid, abet, glamorize or justify violence, commission of any crime, terror or leads to serious public disorder;
  - (l) is known to be fake or false or there exists sufficient reasons to believe that the same may be fake or false beyond a reasonable doubt;
  - (m) contains aspersions against the Constitutional institutions including members of judiciary or armed forces of Pakistan, Majlis-e-Shura (Parliament) or a Provincial Assembly;
  - (n) amounts to intimidation, blackmail or false incrimination of any person;
  - (o) is defamatory as defined in any law for the time being in force; and
  - (p) promotes and encourages terrorism and other forms of violence against the State or its institutions.
- (2) Without prejudice to any other restrictions in this regard, while reporting the proceedings of the Majlis-e-Shura (Parliament) or a Provincial Assembly, such portion of the proceedings as the Chairperson of the Senate, the Speaker of the National Assembly or, as the case may be, Speaker of the Provincial Assembly may have ordered to be expunged, shall not be streamed or made available for viewing on social media platforms in any manner and every effort shall be made to release a fair account of the proceedings.
- (3) The statements of proscribed organizations or their representatives or members shall not be streamed or made available for viewing on social media platforms in any manner.”
- 101 Interview with journalist 7, October 29, 2024.
- 102 Interview with journalist 2, September 21, 2024.
- 103 Protection of Journalists and Media Professionals Act, 2021, ACT NO. XXIII OF 2021, December 1, 2021, <https://pakistancode.gov.pk/english/UY2FqaJw1-apaUY2Fqa-apaUY2Npa5hq-sg-jjjjjjjjjjjjjj->
- 104 Section 4(3), Protection of Journalists and Media Professionals Act, 2021.
- 105 *Muhammad Rehmat Ullah v. The State*, 2024 CCJ 1, 14 July 2024.
- 106 *Muhammad Rehmat Ullah v. The State*, para. 13.
- 107 *Muhammad Rehmat Ullah v. The State*, para. 15.
- 108 Section 31 of PECA:  
 “Expedited preservation and acquisition of data—  
 (1) If an authorised officer is satisfied that:  
 (a) specific data stored in any information system or by means of an informal on system is reasonably required for the purposes of a criminal investigation; and  
 (b) there is a risk or vulnerability that the data may be modified, lost, destroyed or rendered inaccessible, the authorized officer may, by written notice given to the person in control of the information system, require fiat Person to provide that data or to ensure that the data specified in the notice be preserved and the integrity thereof is maintained for a period not exceeding ninety days as specified in the notice.”

- 109 Section 33 of PECA:  
“(1) Upon an application by an authorized officer that demonstrates to the satisfaction of the Court that there exist reasonable grounds to believe that there may be in a specified place an information system, data, device or other articles that: (a)... (b) has been acquired by a person as a result of the commission of an offence, the Court may issue a warrant which shall authorize an officer of the investigation agency, with such assistance as may be necessary, to enter the specified place and to search the premises and any information system, data, device or storage medium relevant to the offence identified in the application and access, seize or similarly secure any information system, data, device or other articles relevant to the offence identified in the application.”
- 110 Rule 8(3), Prevention of Electronic Crimes Investigation Rules, 2018.
- 111 “Application for grant of 10 days physical remand,” February 26, 2024, Cyber Crime Reporting Center, Islamabad, FIA (submitted in court of judicial magistrate (special court under PECA)
- 112 Interview with journalist 5, September 27, 2024.
- 113 Shakeel Qarar, “Govt formally authorises ISI to ‘trace, intercept’ calls and messages in ‘interest of national security,’” *Dawn*, July 9, 2024, <https://www.dawn.com/news/1844810>.
- 114 Interview with journalist 1, August 17, 2024.
- 115 Interview with journalist 2, September 21, 2024.
- 116 “Second notice Issued by FIR to Journalist Asad Toor also Suspended,” *Digital Rights Monitor*, June 2, 2021, <https://digitalrightsmonitor.pk/second-notice-issued-by-fir-to-journalist-asad-toor-also-suspended/>.
- 117 *Shandanda Gulzar Khan v Federation of Pakistan*, Writ Petition No.1465-P of 2024, June 27, 2024, <https://www.peshawarhighcourt.gov.pk/PHCCMS/judgments/WP-No.-1465-P-of-2024-.pdf>.
- 118 The notice issued to the petitioner in this case was under the heading “Gist of allegation” and read as: “Highly intimidating campaign against State functionaries and creating violence in public and society through information system.”
- 119 *Shandanda Gulzar Khan v Federation of Pakistan*.
- 120 *Shandanda Gulzar Khan v Federation of Pakistan*.
- 121 *Munir Ahmad Bhatti v Director, FIA Cybercrime Wing*, Writ Petition No. 65490 of 2021, December 16, 2021, <https://sys.lhc.gov.pk/appjudgments/2022LHC2222.pdf>.
- 122 *Pakistan Federal Union of Journalists v The President of Pakistan*, W.P. No.666/2022, Islamabad High Court, April 8, 2022, <https://digitalrightsmonitor.pk/wp-content/uploads/2022/04/P-FUJ-v-The-President-of-Pakistan-etc-WP-No-666-of-2022.pdf>.
- 123 Tahir Naseer, “IHC strikes down Peca ordinance, terms it ‘unconstitutional,’” *Dawn*, April 8, 2022, <https://www.dawn.com/news/1684032>.
- 124 *Pakistan Federal Union of Journalists v The President of Pakistan*.

- 125 *Muhammad Ashfaq Jutt v Federation of Pakistan, etc., Islamabad High Court, W.P. No.3028/2020*, 11 May 2022, [https://mis.ihc.gov.pk/attachments/judgements/121240/3/17-05-2022\\_Ashfaq\\_Jutt\\_637885690215833788.pdf](https://mis.ihc.gov.pk/attachments/judgements/121240/3/17-05-2022_Ashfaq_Jutt_637885690215833788.pdf).
- 126 Malik Asad, "Mere tweets can't incite mutiny in army: IHC," *Dawn*, November 13, 2022, <https://www.dawn.com/news/1720619>.
- 127 "FIA exceeded its domain by filing FIR for tweet: IHC," *The Express Tribune*, November 12, 2022, <https://tribune.com.pk/story/2386023/fia-exceeded-its-domain-by-filing-fir-for-tweet-ihc>.
- 128 *Suo motu* literally translates from Latin as "on its own motion," where a court or judgment or public authority take notice or cognisance of a case or issue without a case being filed or brought before it. In Pakistan, *suo motu* powers are conferred onto the Supreme Court under Article 184(3) for a "a question of public importance with reference to the enforcement of any of the Fundamental Rights."  
"Suo motu," Collins Dictionary, <https://www.collinsdictionary.com/submission/8861/suo+motu>.  
Shayan Manzar, "A Concoction of Powers: The Jurisprudential Development of Article 184 (3) & Its Procedural Requirements," <https://sahsol.lums.edu.pk/node/12896>.
- 129 *Suo Moto Case No. 4/2021, Supreme Court of Pakistan*, August 20, 2021, [https://www.supreme-court.gov.pk/downloads\\_judgements/s.m.c. 4 2021.pdf](https://www.supreme-court.gov.pk/downloads_judgements/s.m.c. 4 2021.pdf).
- 130 *Suo Moto Case No.4 of 2021, Supreme Court of Pakistan*, August 23, 2021, [https://www.supremecourt.gov.pk/downloads\\_judgements/s.m.c. 4 2021\\_23082021.pdf](https://www.supremecourt.gov.pk/downloads_judgements/s.m.c. 4 2021_23082021.pdf).  
Nasir Iqbal, "SC puts in abeyance order in journalist harassment case," *Dawn*, August 24, 2021, <https://www.dawn.com/news/1642284/sc-puts-in-abeyance-order-in-journalist-harassment-case>.
- 131 *Suo Moto Case No.4 of 2021, Supreme Court of Pakistan*, August 26, 2021, [https://www.supremecourt.gov.pk/downloads\\_judgements/s.m.c. 4 2021\\_26aug2021.pdf](https://www.supremecourt.gov.pk/downloads_judgements/s.m.c. 4 2021_26aug2021.pdf).
- 132 Rehan Piracha, "How apex courts have stepped in to stop harassment of journalists," *Voicepk*, January 20, 2023, <https://voicepk.net/2023/01/how-apex-courts-have-stepped-in-to-stop-harassment-of-journalists/>.
- 133 *Suo Moto Case No.4 of 2021, Supreme Court of Pakistan*, January 29, 2024, [https://www.supremecourt.gov.pk/downloads\\_judgements/s.m.c. 4 2021\\_29012024\\_r.pdf](https://www.supremecourt.gov.pk/downloads_judgements/s.m.c. 4 2021_29012024_r.pdf).
- 134 Shahid Rao, "FIA registers 100 inquiries against journalists, politicians as per law: Solangi," *The Nation*, January 29, 2024, <https://www.nation.com.pk/29-Jan-2024/fia-registers-100-inquiries-against-journalists-politicians-as-per-law-solangi>.
- 135 "Pakistan: Authorities summon 47 journalists," *International Federation of Journalists*, January 30, 2024, <https://www.ifj.org/media-centre/news/detail/article/pakistan-authorities-to-summon-47-journalists>.
- 136 Interview with journalist 1, August 17, 2024.
- 137 Interview with journalist 3, September 30, 2024.
- 138 Interview with journalist 5, September 27, 2024.



- 139 Interview with journalist 7, October 29, 2024.
- 140 Interview with journalist 6, October 10, 2024.
- 141 Interview of journalist 1, August 29, 2024.
- 142 “Not enough being done against digital terrorism under law: DG ISPR,” *Dawn*, August 5, 2024, <https://www.dawn.com/news/1850240>.
- 143 Interview with journalist 7, October 29, 2024.
- 144 “Army will continue to exercise restraint, has no role in conduct of elections: DG ISPR,” *Dawn*, June 4, 2018, <https://www.dawn.com/news/1411983>.
- 145 “Pakistan army spokesperson accuses journalists of anti-state activity on social media,” *Committee to Protect Journalists*, June 5, 2018, <https://cpj.org/2018/06/pakistan-army-spokes-person-accuses-journalists-of/>.
- 146 The Exit Control List is a list that is kept and maintained by the Government of Pakistan, and consists of names of people that are of special interest to the government and its agencies. Being on the list can prevent someone from leaving the country without prior permission from the government, akin to US “no-fly” lists, and just as controversial.
- 147 “Cabinet greenlights putting Imran Riaz, Sami Ibrahim among 24 individuals on ECL,” *Pakistan Today*, March 28, 2024, <https://www.pakistantoday.com.pk/2024/03/28/cabinet-green-lights-putting-imran-riaz-sami-ibrahim-among-24-individuals-on-ecl/>.
- 148 Yasmeen Serhan, “Pakistan Bars Activist From Traveling to TIME Event Honoring Her,” *TIME*, October 8, 2024, <https://time.com/7071983/mahrang-baloch-pakistan-prevented-from-traveling/>.
- 149 Fazal Sher, “Ministry asked to place names of PTI leaders on ECL,” *Business Recorder*, May 25, 2023, <https://www.brecorder.com/news/40244010/ministry-asked-to-place-names-of-pti-leaders-on-ecl>.
- 150 Interview with journalist 7, October 28, 2024.
- 151 Article 15, Constitution of Pakistan, 1973, April 12, 1973, <https://pakistancode.gov.pk/english/UY2FqaJw1-apaUY2Fqa-apaUY2Fvbpw%3D-sg-jjjjjjjjjjjj>.
- 152 “Journalist Imran Riaz barred from boarding Hajj flight at Islamabad Airport,” *The Express Tribune*, June 3, 2024, <https://tribune.com.pk/story/2469563/journalist-imran-riaz-barred-from-boarding-hajj-flight-at-islamabad-airport>.
- 153 Rana Yasif, “Journalist Imran Riaz seeks removal of his name from no-fly list,” *The Express Tribune*, February 9, 2023, <https://tribune.com.pk/story/2400296/journalist-imran-riaz-seeks-removal-of-his-name-from-no-fly-list>.
- 154 Interview with journalist 4, September 7, 2024.
- 155 Adnan Rehmat and Iqbal Khattak, “Crime and Punishment in Pakistan’s Journalism: Criminalizing Online Dissent through Legal Victimization,” *Freedom Network*, <https://www.fnpk.org/wp-content/uploads/2021/11/FINAL-Impunity-Report-2021.pdf>.

- 156 Interview with journalist 2, September 21, 2024.
- 157 "Pakistan: An Analysis of the Prevention of Electronic Crimes Bill 2015," *Article 19*, June 20, 2026, <https://www.article19.org/resources/pakistan-an-analysis-of-the-prevention-of-electronic-crimes-bill-2015/>.
- 158 Citizens Protection (Against Online Harm) Rules, 2020, S.R.O. (1)/2019, *Gazette of Pakistan*, January 21, 2020, [https://moitt.gov.pk/SitelImage/Misc/files/CP%20\(Against%20Online%20Harm\)%20Rules%2C%202020.pdf](https://moitt.gov.pk/SitelImage/Misc/files/CP%20(Against%20Online%20Harm)%20Rules%2C%202020.pdf).
- 159 Ramsha Jahangir, "Implementation of online rules suspended, says PTA," *Dawn*, March 3, 2020, <https://www.dawn.com/news/1537931>.
- 160 Interview with journalist 1, August 17, 2024.
- 161 Interview with journalist 2, September 21, 2024.
- 162 Interview with journalist 5, September 27, 2024.
- 163 Journalist 3, a man from Sindh, stated:  
"It is impossible to fully regulate cyber spaces, whenever they try it blows up in [the state's] faces. They tried blocking platforms, but people used VPNs to access it. They can't regulate the internet, even though they try... It is not the government's job to regulate the speech of journalists."
- 164 Interview with journalist 3, September 20, 2024.
- 165 Interview with journalist 4, September 7, 2024.
- 166 Interview with journalist 5, September 27, 2024.
- 167 Interview with journalist 6, October 10, 2024.
- 168 Interview with journalist 1, August 17, 2024.
- 169 Interview with journalist 5, September 27, 2024.
- 170 Interview with journalist 4, September 7, 2024.
- 171 Interview with journalist 3, September 20, 2024.
- 172 Interview with journalist 1, August 17, 2024.
- 173 Interview with journalist 5, September 27, 2024.
- 174 Interview with journalist 7, 29 October 2024.
- 175 Interview with journalist 3, September 20, 2024.
- 176 Interview with journalist 5, September 27, 2024.
- 177 Interview with journalist 5, September 27, 2024.

- 178 "Journalist Sami Abraham 'picked up', family claims," *Dawn*, May 25, 2023, <https://www.dawn.com/news/1755611>.  
Abid Hussain, "Missing Pakistani journalist Imran Riaz Khan returns home after four months," *Al Jazeera*, September 25, 2023, <https://www.aljazeera.com/news/2023/9/25/missing-pakistani-journalist-imran-riaz-khan-returns-home-after-four-months>.
- 179 "Joint statement on so-called short-term enforced disappearances," *UN Committee on Enforced Disappearances, UN Human Rights Council Working Group on Enforced or Involuntary Disappearances*, 18 October 2024. [https://tbinternet.ohchr.org/\\_layouts/15/treatybodyexternal/Download.aspx?symbolno=CED%2FC%2F11&Lang=en](https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CED%2FC%2F11&Lang=en).
- 180 Interview with journalist 2, September 21, 2024.
- 181 Interview with journalist 6, October 10, 2024.
- 182 Interview with journalist 3, September 20, 2024.
- 183 Interview with journalist 2, September 21, 2024.
- 184 Interview with journalist 4, September 7, 2024.
- 185 Interview with journalist 5, September 27, 2024.
- 186 "PBC constitutes 'Journalists Defence Committee,'" *Business Recorder*, September 30, 2020, <https://www.brecorder.com/news/40022391>.
- 187 Interview with journalist 3, September 20, 2024.
- 188 Interview with journalist 5, September 27, 2024.
- 189 Abid Hussain, "Pakistan tests secret China-like 'firewall' to tighten online surveillance," *Al Jazeera*, November 26, 2024, <https://www.aljazeera.com/news/2024/11/26/pakistan-tests-china-like-digital-firewall-to-tighten-online-surveillance>.
- 190 *Haroon Farooq v Federation of Pakistan*, W.P No.59599 of 2022, Lahore High Court, March 30, 2023, <https://sys.lhc.gov.pk/appjudgments/2023LHC1450.pdf>.
- 191 Nadir Guramani, "Changes to cybercrime law to tighten noose on social media," *Dawn*, December 3, 2024, <https://www.dawn.com/news/1876386>.



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