

Policy brief  
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# An end to fear and censorship

## Protecting freedom of expression and journalists' security

### Introduction

With state and non-state actors strengthening their control over information, it has become clear that anyone challenging the preferred narrative will be punished. Dissent has become a crime in Pakistan. Journalists are routinely labelled 'traitors' or 'anti-state' to dent their credibility.

This sentiment was unanimous among participants—reporters, producers and editors from the broadcast, print and digital media—at a series of focus group discussions organised by the Human Rights Commission of Pakistan (HRCP) across the country in November 2020. The purpose of the discussions was to bring media persons together to review the threats to their profession and build a consensus on the way forward to raise awareness for freedom of expression in Pakistan.

It was agreed that, in the absence of any written guidelines, censorship has become a murky concept and sources difficult to pin. Orders to censor can be direct or indirect, from the military, the political government or the Pakistan Electronic Media Regulatory Authority (PEMRA)—or from media house owners or managers who often cite the collapsing media economy and shrinking advertisement revenue as a key tool used to constrict space for political discourse.

Threats can be in the form of intimidation or job insecurity as well as physical attacks and disappearances. The International Federation of Journalists in a white paper on global journalism listed Pakistan as one of the 'most dangerous countries for practice of journalism in the world,' reporting that 138 journalists had lost their lives in the line of duty between 1990 and 2020.

These offences are committed with impunity and have had a chilling effect on media freedom. Constant surveillance, inadequacy of protection laws and misuse of the Prevention of Electronic Crimes Act (PECA) 2016 forces journalists to self-censor. Fear of investigating and reporting the truth is all the more apparent among journalists working in the conflict-stricken areas of Balochistan and Khyber Pakhtunkhwa (KP). Further, threats from religious extremists prevent journalists from reporting on violations of religious freedom and rights.

Anyone in journalism will know that most newsrooms in the country are male-dominated workspaces. The few women in the profession tend to be given 'soft' news beats. Women journalists working in the field and on the news desk experience harassment, vulnerable to anything from unwanted advances to violent threats.

About 70 percent of Pakistan's population lives in rural areas, where stories of public interest and human rights violations are rife. Yet, media houses are generally biased towards urban news coverage and uninterested in developing a news infrastructure in rural areas. Consequently, they rely on freelance contributors and correspondents whose services are not sufficiently

compensated. Investment in training or creating an environment conducive to nurturing sound media skills and practices is incredibly low. And the victim is always journalism.

There is a need to advocate a strong legal framework as well as effective state protection of media personnel. Article 19 of the Universal Declaration of Human Rights protects freedom of opinion and expression without discrimination. HRCP believes that the current climate for media personnel violates this fundamental right.

The following sections are excerpts from the focus group discussions held in Islamabad, Karachi, Lahore, Quetta, Peshawar and Multan.

## **Censorship by the state, media owners and advertisers, and self-censorship**

A brief outline of the aims of the study/project and what you did to address the problem. Only include methods if they strengthen your argument.

All participants spoke freely about fear and censorship, those in Islamabad citing PEMRA's decision to block live speeches by Nawaz Sharif and Asif Ali Zardari as recent examples of censorship. 'PEMRA is supposed to be an independent institution, but it is controlled by the federal government,' said a senior journalist.

The forced disappearance of media persons has made journalists feel especially vulnerable. The abduction of senior journalist Matiullah Jan in July 2020 and disappearance of Geo News journalist Ali Imran Syed in October 2020 have left many journalists across the country scared of filing fact-based reports. PECA 2016 continues to be used ruthlessly against journalists as a pressure tactic. Asad Ali Toor is a case in point.

### **The case of Asad Ali Toor**

A case was registered against Islamabad-based reporter Asad Ali Toor for 'promoting propaganda' against Pakistan's institutions and army on Twitter at the Jatli police station in Rawalpindi on 12 September 2020 in response to a complaint lodged by Hafiz Ehtasham, a resident of Nasirabad, under Sections 499 (defamation), 500 (punishment for defamation) and 505 (statements conducing to public mischief) of the Pakistan Penal Code, along with Sections 11, 20 and 37 of PECA 2016. After 16 hearings in four courts over a period of 70 days, his FIR was declared infructuous.

To date, neither the police nor the Federal Investigation Agency have identified the objectionable tweets on the basis of which the case was filed.

Journalists in Balochistan have experienced the biggest decline in freedom of speech. Their surveillance by several quarters—particularly banned Baloch separatist organisations and government-backed militias—compels them to think before they report or comment, for even coverage on training sessions, awareness campaigns or conferences may get them into trouble. They also refrain from covering more serious issues of forced disappearances, the closure of the Taftan border with Iran and the Chaman border with Afghanistan to protect their sources or newsmakers from threats and interrogations. A reporter from Khuzdar recalled how, after a training session for lady health workers on mother-child healthcare, intelligence agency personnel grilled participants about the nature of training and discussion—'They want to create terror for every citizen,' he said.

Likewise, journalists working in KP have learnt from experience that self-censorship must be exercised to ensure their own safety. It has become increasingly difficult for them to include all

sides of the story. They say stories of missing persons are aired only if the government or ISPR issues a statement.

The television ratings system is used as yet another censorship tool. It is manipulated to keep channels and anchors under pressure. Oddly, as media persons in Islamabad discussed, ratings of programmes on opposition leaders receive negative projections while those in favour of the establishment and government functionaries receive positive projections. Anchors who criticise the role of the establishment in politics and the governance issues of the ruling government receive low ratings and are eventually dismissed from their jobs.

However, state censorship is not the only way of limiting media freedom in Pakistan. Participants observed that the interests of media houses and the state are more or less the same.

*‘Bosses pursue their own interests. They will not allow an investigative report on educational institution if they run the largest chain of colleges themselves.’*

This has encouraged a culture of intense scrutiny, uncomfortable questioning and combative tones from senior media persons in the newsroom—who have a clear ideological bend, mostly to the right or need to appease certain quarters and grant favours. ‘We are told we cannot run a certain programme because of orders from “above”,’ said another television journalist.

*‘Press freedom is related to the civil-military imbalance. It is the political leadership’s responsibility to safeguard freedom of expression as enshrined in Article 19 of the Constitution of Pakistan.’*

One would assume that the digital media in Pakistan is able to exhibit a relatively more independent stance in its editorial positions, as it is not supported by government ads. Yet the digital media persons who attended HRCP’s focus group discussion in Lahore felt that the space to voice dissent and cover non-kosher topics was tightening.

*‘We have to be extra careful when using certain words, especially in vlogs and live streaming. The Pakistan Telecommunication Authority can be highly intrusive. Just one call is enough to shut the channel down. Our channel has been shut down twice.’*

The pressure from religious sects and parties is mounting as well. A warning can come either from a religious outfit or colleagues with a religious or sectarian bent. This often gives reason to self-censor.

*‘Once, we recorded a satire on the antics of the Barelvi firebrand leader Khadim Hussain Rizvi. We were ready to go online when my colleague withdrew from the programme, saying he could get serious flak from his Barelvi family members for his satirical remark on Rizvi. He followed the Deobandi school of thought.’*

## Recommendations

- Media persons must be allowed to work with neutrality. The government and state institutions must be made to understand that journalism is not a crime.
- Death threats against media persons must be thoroughly investigated.
- PEMRA must operate as an independent body, not as a government subsidiary.
- The PECA laws must be abolished.
- The Journalists’ Protection Bill 2020 must be enforced.
- A climate of free and vibrant media must be created in Balochistan and KP.
- Media persons in Balochistan and KP must be protected by their employers and state institutions.
- The television ratings system must be rationalised.

- Media outlets must be run by neutral parties not pursuing personal agendas.

## Security of journalists in conflict areas

Balochistan is easily the hardest area in Pakistan for journalists. It is said to be an information ‘black hole’ where a long-drawn-out tug-of-war between state and non-state actors has made access to independent information tremendously challenging. Participants at HRCP’s focus group discussion, representing several district-level press clubs, agreed that the authorities did not want anyone to know anything about the province.

‘There is media in Balochistan but no media freedom.’

As a result, the grievances of the Baloch people—mostly human rights violations—are treated as a big secret. Journalists who dare to uncover the grave ground realities—of missing persons, killings by death squads, terrorist and sectarian attacks—are threatened or killed. According to the Balochistan Union of Journalists, some 24 journalists have been target-killed in Balochistan since 2008 and as many have died in crossfire, suicide attacks or bomb explosions in the province’s conflict zones. Shockingly, their killers have yet to be arrested.

### The case of Irshad Mastoi

Irshad Mastoi, bureau chief of Online News and secretary of the Balochistan Union of Journalists, was killed along with reporter Abdur Rasool and accountant Mohammad Yunis in Quetta in August 2014. An armed person barged into their office and fired at them in a savage frenzy, killing the three men on the spot.

Although Mastoi had been receiving death threats from banned Baloch separatist organisations and Islamist militant groups, they did not claim responsibility for the murders.

After a few months, the police reported the arrest of the murderer who, they said, had confessed to killing Mastoi and Habib Jalib, former secretary-general of the Balochistan National Party. The police later claimed that they killed him in an encounter.

Mastoi’s family and friends found the police assertions to be suspicious as Jalib’s killer was being tried in a court of law even before Mastoi’s death.

Mastoi’s murder and its aftermath cast an ever-lengthening shadow on the justice system for journalists in Balochistan, where invariably investigators become suspects.

Away from Balochistan, in Waziristan—once the hub of the war on terror—the same climate of extreme fear and self-censorship prevails. It is common for journalists to receive threatening calls from unknown people. Reporting on critical stories of public interest, such as drug trafficking, the rehabilitation of internally displaced persons, or the reconstruction of schools can invite trouble.

‘After the war on terror, the clearing of landmines merited many important stories. But the agencies did not want them reported. In the case of a story I filed about a woman who had been injured badly by a landmine and lost both her legs, the ISPR objected that I had mentioned that the accident took place near a checkpoint. I was forced to remove the story.’

Conditions for women journalists are even tougher. A female journalist based in Dera Ismail Khan, who reports from Waziristan frequently, said she was often accused of violating local traditions. ‘Issues of women’s education and other human rights stories are difficult to cover in Waziristan as intimidating calls from unknown persons invariably follow. These calls are made by government as well as security officials,’ she said.

The press clubs in Khuzdar, Panjgur, Kalat and Noshki have been forcibly shut down, based on the ill-founded allegation that their members are agents of the Frontier Corps and other agencies. A banned outfit released a hit list of journalists, alleging that they worked for state actors in Khuzdar.

During the focus group discussion that HRCP held in Peshawar, participants also talked about the pressure on press clubs in the tribal areas, adding that press conferences were inevitably controlled by the government.

### Recommendations

- FIRs of all murder cases of journalists must be registered and the culprits brought to justice.
- A system of free and effective legal aid must be set up for media persons in trouble.
- Professional training programmes must be conducted to build the capacity of journalists working in conflict areas.
- Safety and first-aid training must be given to journalists working in conflict zones. They must be equipped with bulletproof jackets and medical kits.
- Media persons must be given life insurance.
- Affected families must be duly compensated by the state and media houses.
- Women must be encouraged to join the profession to maintain gender equality.
- Media outlets must develop a professional service structure in conflict areas.
- Media houses must protect their staff against threats from state and non-state agencies.

### Women in the media: Harassment, working conditions and opportunities

*‘For a woman to survive in the media profession, she must be very thick-skinned.’*

An in-depth discussion of harassment at the workplace and people’s familiarity with this form of violence—how often they face or discuss it and what their take is—revealed that the issue is perceived as trivial.

*‘I was not a confident and bold woman. I felt helpless when I was being harassed. My senior male colleagues once told me that I “looked pretty” when I “dressed up as a lady.” It made me feel uncomfortable.’*

Although the Protection Against Harassment of Women at the Workplace Act has been in effect since 2010, very few are clear about what it entails. The law directs the mandatory constitution of inquiry committees on sexual harassment in workplaces. However, the composition of such committees is shrouded in confusion; even senior media persons managing newsrooms fail to understand how the law should be implemented.

*‘While reporting for Samaa TV, I came across a girl from the Nawabshah University who claimed that professors were harassing the inquiry committee, which comprised three men. My news editor, coincidentally a woman, who failed to see a scoop in it, rejected the story idea. She asked, “What’s the news? The committee has been formed and the investigation is being carried out.” I tried to point out the various angles in the story—for one, the absence of a female member on the committee... My story was published after much convincing.’*

Even when media houses have investigative committees in place, they are ineffective. Even if they comprise competent individuals, the latter are not trained to establish the crime and take the culprit to task. More importantly, there is no penalty in the law for those who have not constituted a committee within the institution.

Leaving aside the irrationalities of investigative committees, it is hardest for survivors to speak out against more powerful male colleagues. Victims are vulnerable, afraid of damaging their careers or even losing their jobs if they dare rock the boat. The rare and brave ones who do report incidents of sexual harassment to their employers or senior colleagues are belittled for 'pointing fingers' at others for a 'harmless' or 'normal' act.

'I flagged the case of my two female colleagues who were being harassed by the head of the department in a WhatsApp group. As a result, I lost my job with immediate effect and my two female colleagues were forced to resign as well.'

Stereotypical images of girls and women in the media are all about who women are and what their roles should be in society. These stereotypes can be negative, limiting and degrading, and impact both how women perceive themselves and how others see them. In a recent study conducted by Uks, the sexual objectification of women was identified in 72 television commercials while 26 were non-stereotypical ones. It is not surprising that this misogynistic approach heavily influences viewers, who not only accept these gender images without question but also allow them to influence their lives and actions.

### Recommendations

- Human resource departments at media houses should conduct awareness-raising activities on sexual harassment within the organisation.
- Rules outlined in the law should be shared widely with all employees and prominently displayed in offices.
- Effective, empowered anti-harassment committees must be formed at every organisation.
- Inquiry committee members should be known and easily accessible to all.
- An enabling office environment should be created in newsrooms where survivors can report violations without fear of backlash.
- Journalists should regularly produce women-related stories, bulletins and supplements to keep the issue alive.
- To educate children about sexual harassment, the issue should be made part of the school curriculum.
- The portrayal of women in entertainment television and drama serials should be more realistic.

### The future of print in times of other media: Job insecurities and other issues

Unsurprisingly, most participants said they were insecure about their jobs and helpless in the face of salary delays and cuts. The fear of redundancy compels many journalists to work on drastically shrunk salary packages—in cases, up to 40 percent cuts—or accept sporadic delays in salaries, which can be up to three months. They face further monetary pressures when their employers disallow them from exploring other media platforms, such as broadcast channels or digital media websites, to protect potential conflicts of interest. One participant commented, 'If there are such drastic pay cuts, then the journalist should be allowed to have more than one job,' indicating that avenues to earn a supplementary income were shrinking.

Media house owners use clauses in the contract letters that journalists are made to sign at the time of hiring to exploit and control freedom of expression or opinion on diverse communication platforms. The contract letters issued by some media houses specify that employees cannot start their own social or digital media. They may even be disallowed from social media activity during working hours and are monitored during off-hours as well. They cannot post on Twitter or Facebook, as a colleague may leak the screenshot of the post to senior management. 'We can be fired for

one objectionable comment on social media,' said one participant. This discourages them from engaging freely in public debate. But, as some participants complained, organisations might bend the rules for favoured staffers and discriminate against others. The experience of media persons in KP is similar.

**'Due to a personal tweet, my organisation fired me on the orders of the ISPR. What should a journalist do in a situation where neither the agencies nor the employers protect him?'**

Media persons in Balochistan see salary and job cuts as an attempt to further muzzle the local press. The news bureaus of the mainstream media houses have either shut down or downsized their staff. A sole reporter that covers all the beats mostly runs them. They also complain that media persons running the show in Islamabad, Karachi or Lahore do not truly understand the threats faced by Baloch journalists who work as correspondents and report from remote areas in the province.

**'Since we are not full-time employees, their interest in our safety is negligible.'**

Additionally, the social media cells of state institutions and the ruling party jointly target journalists with a barrage of abuse and photoshopped images and run trends against them on a regular basis. Some journalists have even been asked by state institutions and employers to delete their Twitter accounts.

## **Recommendations**

- Newsrooms must be free from all kinds of pressure, where decisions are taken by professional editors.
- Salaries must be paid on time.
- Salary cuts must be reverted.
- Social media campaigns against media persons must be stopped.
- The government must track down social media accounts involved in abusing journalists.
- The jurisdiction of the Islamabad-based media tribunal must be expanded to the district level to ensure regular payment of salaries and other dues.
- The print media must innovate to keep up with the times, perhaps adopting a digital model with a paywall.

## **Representations of rural Pakistan in the mainstream media in the context of women and minorities**

At a virtual meeting, media persons discussed in detail the representation of women and religious minorities in the media of southern Punjab. They said that, with a slump in the media industry in Pakistan, the first to take the brunt in rural areas were female journalists.

Further, the harassment of women on the grounds of gender is commonplace, forcing many women journalists to quit their jobs. Because of the lack of women's representation in newsrooms, critical women-related issues remain underreported.

Like women, religious minorities are underrepresented in media houses in southern Punjab. They are considered 'untouchables'; their colleagues do not eat or drink with them. They are given menial jobs such as cleaning and washing—and the lucky ones who do get assigned a respectable job are underpaid.

Threats from religious extremists in KP prevent journalists from reporting on violations of religious freedom and rights. The rare ones that get reported have to be mellowed down or the facts are twisted. For instance, in the case of a Shia killing inside a Peshawar court, one newspaper carried the story as 'Ghazi Khalid sent apostate Tahir Naseem to hell.' The headline says it all.

### Recommendations

- News outlets must employ more women and members of religious minorities to make newsrooms more diverse.
- Competitive salaries must be offered to them.
- Women and minority-related stories should be regularly run in the print and broadcast media to create awareness of the problems they face.