



Curbs on freedom of expression in Pakistan

An HRCP fact-finding report
August 2018



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Introduction

Over the last several months, an overwhelming number of journalists – including reporters, editors and anchors – have reiterated the extent of interference in freedom of expression among the print and broadcast media in Pakistan. Additionally, numerous people involved in the sale and distribution of *Dawn* – including newspaper hawkers and retailers – have corroborated the management’s complaint of unlawful interference in the newspaper’s distribution across the country.

This report is the outcome of an independent fact-finding exercise carried out by the Human Rights Commission of Pakistan (HRCP), following complaints received by various mediapersons as well as a detailed complaint from the *Dawn* management. The exercise was based on a questionnaire developed specifically to assess the extent and nature of curbs on freedom of expression (see **Appendix 1**). HRCP’s fact-finding team has engaged with a wide range of people involved in the print and broadcast media in Balochistan, Gilgit-Baltistan (GB), Islamabad Capital Territory, Punjab and Sindh.

During these interviews, many of our respondents asked to remain anonymous and we have therefore respected their wishes. Many respondents have also referred specifically to state and/or intelligence agencies. HRCP would like to clarify that it will communicate to these agencies in the correct manner the broad concerns expressed across the media, while complying strictly with our respondents’ request for anonymity.

HRCP has also observed similar patterns of interference in the circulation of *The News* and in the transmission of Geo TV, which was taken off air earlier in April and then restored – albeit without an adequate explanation for this disruption. Not having been approached directly, the Commission did not investigate these specific instances at the time, but has since found considerable evidence to substantiate perceptions of undue interference. Since the national elections on 25 July 2018, however, there has been a reported resurgence in curbs on distribution in certain areas, not just of *Dawn*, but also *The News*, *Jang* and *Nawa-i-Waqt*. HRCP strongly urges the new federal and provincial governments and all state institutions to take every possible measure to address the complaints presented in this report, and to ensure that unauthorized and unlawful interference with freedom of expression is prohibited and prevented.

Curbs on distribution in the print media and impact on business

HRCP’s enquiry into curbs on the distribution of *Dawn* began when the Commission received a formal request from the management to conduct an independent assessment of the situation, saying that

Dawn has been continuously facing intimidation in distributing its copies in the commercial and residential areas in possession of the Pakistan army.... We believe the newspaper is being punished for its independent and courageous editorial policy.

Interviews carried out independently by HRCP with distributors in Balochistan, Punjab and Sindh corroborate the allegations made by *Dawn*. Following the publication of an interview with former Prime Minister Nawaz Sharif on 12 May 2018, the newspaper’s distribution has been disrupted daily in targeted cities and towns. Hawkers and sales agents have been subjected to continual harassment, threats and physical coercion while attempting to deliver copies of *Dawn* to regular subscribers. See **Appendix 2** for a detailed report received from the *Dawn* management outlining the extent of disruptions to distribution across the country.

Azad Jammu and Kashmir, Balochistan and KP

In Chakdara (KP) and Bagh (AJK), sales agents were approached by plainclothesmen who told them not to sell *Dawn* and asked for information about their subscribers. In Turbat, Gwadar and Sibi, the distribution of *Dawn* has been curtailed since 15 May 2018. In the Quetta cantonment areas, hawkers report being subject to checks and copies of *Dawn* being removed from their possession.

Punjab

A sales agent in Mianwali reports having been threatened for distributing *Dawn*. In the Okara cantonment, *Dawn* has been stopped completely, following threats to the sales agent. In Lahore, Jhelum, Kharian and Rahwali,

hawkers were warned not to bring *Dawn* into DHA and the cantonments. Since the elections, there has been an alarming resurgence in curbs on distribution in Lahore – not just of *Dawn*, but also *The News*, *Jang* and *Nawa-i-Waqt*. At least four separate hawkers who distribute these newspapers in DHA report having been instructed by the DHA authorities not to do so.

Distribution was also stopped in Sargodha and Sarai Alamgir. Similarly, delivery was stopped to security agencies' offices in Faisalabad and Dera Ghazi Khan. In Multan, hawkers with *Dawn* were not allowed into the cantonment and report having been asked for information on their subscribers. A *Dawn* newspaper distributor in Chiniot was summoned by an inspector from the intelligence services and threatened with action if he continued to distribute the newspaper.

Sindh

A *Dawn* sales agent who has operated in the Larkana and Qambar Shahdadkot districts for over 45 years has been repeatedly threatened and harangued since 14 May 2018. Since then, he has not been permitted to distribute the newspaper in these districts.

In Hyderabad, security agencies warned a *Dawn* sales agent not to deliver to their offices and schools. In Nawabshah, they refused to receive the newspaper and the agent was warned not to distribute in the city and adjoining areas. Similarly, in Panno Aqil, security agencies refused to receive the newspaper and warned the sales agent not to send copies to their offices.

Impact of curbs on distribution on business

The withdrawal or suspension of advertisements has adversely affected newspapers and continuing intimidation has severely hampered objective journalism. It has also taken its toll on members of staff, some of whom have refused to work or left. This has left the newspapers beleaguered, with threats also emanating from religious radicals, separatists and officials of nationalist or political parties if news on their activities is not published.

Since October 2016, *Dawn* has experienced a complete ban on advertising from organizations falling under the domain of security agencies, including DHA and other commercial establishments.

Curbs on transmission in the broadcast media and impact on business

HRCF has documented several instances in which cable operators say they were compelled to take certain channels off air:

- A cable operator in Toba Tek Singh received a call from someone who identified himself as a member of the security agencies: the operator was instructed to stop broadcasting Geo News and Dawn News. He had no alternative but to comply with the order for fear his business would be shut down or attacked.
- The CEO of a cable network company in Multan reports having received calls and summons from security agency personnel, warning him to 'remove' certain channels – specifically to place Geo TV at the end of the list of channels and Bol and ARY at the beginning.
- The managing director of a cable network in GB was approached four times by an intelligence agency official, telling him initially to move Geo TV to the end of the list of channels and then to take it off air altogether. He was threatened twice with the closure of his business and was finally forced to comply.

As far as television channels are concerned, the prevailing uncertainty surrounding their ability to broadcast means they stand to lose long-term advertising contracts. At least two respondents confirmed that this had affected their financial stability and ability to pay salaries on time. The general perception among smaller TV channels is that, if a media house as prominent as Geo TV can be targeted in the form of disruptions to transmission – with obvious implications for how this affects their business and compels them to engage in what one respondent termed 'cost reduction exercises' (read: laying off employees) – then they, too, have little choice but to fall in line.

Curbs on freedom of expression among the print and broadcast media

The proprietors of several newspapers have testified to receiving press advice and being subject to interference and threats from the establishment. Non-compliance with press advice results in physical threats to individuals and loss of revenue for proprietors, some of whom have been forced out of business. The systematic curtailment of freedom of expression emerges across the regions. Both journalists and their management say they are under tremendous pressure from state institutions: individuals say they feel too vulnerable to resist, fearing reprisals. The general belief is that the media is facing the worst censorship in the country's history.

Press advice and intimidation

Gilgit-Baltistan

Several editors and reporters in GB have testified to receiving press advice and being threatened with dire consequences if they do not comply. Many have received specific warnings about giving coverage to nationalists and reporting negatively about state institutions and government departments. All the respondents believe that press freedom has been severely curtailed in GB and that this intimidation has created an environment of fear and repression.

One editor and publisher suffered the extreme consequences of non-compliance. He was told verbally by the GB Information Department not to give coverage to nationalists. Despite being offered bribes and his life threatened five times, he did not comply. Advertisers were instructed by the Ministry of Information not to place ads in his newspaper and to stop payments. The printing of his newspaper was banned. A case under the Terrorism Act was registered against him and he was accused of taking money from foreign spy agencies. He was arrested and his appeals have been to no avail.

A subeditor has received regular press advice from various government departments, both during and after meetings, and told when not to publish news or upload public awareness material on social media. He has been threatened with dire consequences over the telephone and through warnings on social media. He has also been offered jobs in government departments by senior officials.

The chief reporter of a daily newspaper recalls six instances of press advice relating to some of his reports, particularly those concerning the Awami Action Committee, which were termed 'objectionable'. He has twice received threats of arrest or physical attack from the district administration.

The special correspondent of two dailies has been contacted three times and received as many threats of disappearance. He was attacked and injured twice. He also received offers of bribes from the police station in Gilgit and Northern Areas Transport Corporation. Eventually, he was compelled to resign from his job.

A crime reporter for a daily newspaper had to file stories anonymously for six months because his editor had been told not to publish his reports. He has received numerous threats to his life, both over the phone and in person, and has survived a physical attack. He has also been offered a cash bribe by a government official as well as government jobs by police officials.

A member of the press club has received press advice numerous times from various government officials, in this case conveyed to him by friends. He was asked to be cautious when reporting on corruption in public departments. He has been threatened through the same channels and faced baseless propaganda and has also received offers of jobs.

A former press club member and reporter testified to receiving advice on numerous occasions through verbal and written communications, in occasional meetings and through government handouts. The advice was conveyed by government public relations departments, law enforcement agency personnel and the information department. Non-compliance resulted in enquiries by intelligence agencies. A false FIR was registered against him and later discharged.

The chief reporter of a daily newspaper has been threatened with 'consequences' and offered huge bribes by a government institution.

Islamabad

A senior anchorperson reports receiving press advice invariably through the management, as a result of which she now consciously self-censors and feels it has affected her professional credibility. On issues such as the selective application of the law to political leaders, she says she limits herself to a statement of the facts sans opinion or analysis – which, she argues, defeats the purpose of a talk show. Among the most ‘sensitive’ issues she has tried to tackle were the Panama hearings, over which she alleges having been ‘told’ what to say (or not to say) by the judiciary. Criticizing judgments and the conduct of judges is clearly a problematic area, to the extent that she alleges having been muted every time she uttered the word ‘chief justice’ on air. Other topics unpopular with the establishment, she claims, include criticism of the PTI (which would often invite vicious character assassinations on social media) and the military.

Another senior anchorperson has said that press advice is relayed through the management and that, despite initial control over the subject matter he might wish to film, it is never certain the program – or how much of it – will eventually be broadcast. ‘Technical faults’ are often cited by the management as a reason for not broadcasting a program. One of the biggest problems, he says, is that anchors are not taken into confidence by the management as to what they can or cannot say on air. He terms this calculating ‘the cost of dissent.’ He also claims that the management sends the material they have edited out of his programs to the security agencies to remain in the latter’s ‘good books’. This, he says, simply makes him more vulnerable. Interestingly, he claims that this is a double game: the establishment, too, might show an anchor a recording of material the management has edited out as ‘evidence’ of the latter’s ‘insincerity’, thereby creating divisions between employees and management.

Prior to the elections, a news director at a TV news channel confirms receiving press advice to the effect that the channel should give greater coverage to PTI pre-election rallies and only minimal coverage to PML-N events. Some of the issues raised over what he terms ‘a friendly cup of tea’ – the standard euphemism applied to summons from state agencies – include questions pertaining to coverage of political and national security issues, certain editorial policies and even reporters’ sources. He says that such conversations need not ‘spell out’ any ‘specific threats’. The quid pro quo for strictly following directions given from time to time is the promise of access to events and personalities. He confirms that a common consequence of ‘disobeying’ instructions is ‘malicious propaganda’ through anonymous social media accounts and social networking platforms that go so far as to incite violence against mediapersons (for a detailed account of curbs on freedom of expression in the digital sphere, see **Appendix 3**).

A senior journalist and anchor who often reports on civil-military tension describes the modus operandi of press advice and intimidation as follows. In his case, the process began with emails from accounts with names such as ‘Khaki Power’. This was followed by threatening telephone calls (often past midnight) to female members of his family, including his wife. When one of his callers taunted him for being ‘so brave’ and challenged him to come out of the house, he lodged a report with the police. The culprit was arrested, but claimed it had merely been a ‘prank call’.

The next stage, says the respondent, involved receiving suspect calls from foreign telephone numbers. This was followed by a call from a civil agency to say that a ‘very serious case’ was being registered against him. At his meeting there, the respondent was told that he had been linked to an international drugs racket: it was a very difficult situation and would be ‘dealt with’, he was assured, but he ‘ought to speak to a gentleman who is coming here.’ The gentleman in question, whom the journalist alleges was from an intelligence agency, told him ‘very politely’ that he should not be ‘attacking’ state agencies, and that as a ‘prominent journalist’, he was being unwittingly ‘used by foreign networks’. The subtext of this conversation is very clear.

The respondent, who claims that intelligence agencies have become more vindictive in recent years, alleges that they have the resources and access to personal data that enable them to systematically harass not only journalists, but also ‘judges, lawyers, businessmen’ or anyone considered a ‘threat’. He calls this a ‘system of fear’ because it relies not just on blatant aggression, but also on indirect intimidation: female relatives perceived as ‘soft targets’; promises to resolve (or indeed, exacerbate) personal, family or legal problems; the strategic circulation of images of attacks on journalists as a ‘warning’. Another respondent adds that a further ‘layer’ of this system constitutes ‘threat alerts’ issued by state agencies against journalists – not because they are necessarily under threat (for example, from militants or non-state actors), but because creating the impression they may be so, is an effective signal to them and to their profession to toe the line.

State agencies' use of data to intimidate journalists is equally effective when employed in other ways – in this case, when access to data is withheld. A senior journalist whose car was attacked, reported the incident to the police, but was later told by a police officer on condition of anonymity that their investigation was 'not being supported'. The geo-fencing report that might have allowed them to identify the culprits, who were caught on CCTV making a mobile telephone call, was 'with intelligence agencies' and not being made available to the police. The investigation was successfully stalled.

Another respondent at a news channel confirms this modus operandi. He alleges having been harassed following a statement that state agencies should be held accountable for their actions under a proper legal framework. The respondent, his mother and his wife began to receive threatening calls – in one case, from a man calling himself 'Abdullah' from 'Afghanistan'. The emphasis on 'Afghanistan' was odd, but deliberate, says the respondent, because his beat covered neither the country nor issues associated with militancy. Among the phrases his caller used was 'We know who you are and where your children study.' One email sent to his official account used the phrase 'You were picked up for a simple mischief. This time you are playing with fire.' Unsurprisingly, the respondent's family was sufficiently alarmed to ask him to stop his journalism. He has not.

It is worth observing that, when asked whether he had ever been threatened by a political party for having written critically about a politician, one respondent said that political parties were 'not in a position to threaten journalists'. They might boycott a journalist who had fallen out of favor or refuse to be interviewed by a certain anchor, but intimidation per se was the 'monopoly' of security agencies.

Punjab

A journalist, columnist and anchor of a leading news channel says he has received press advice countless times relating to vital political and national issues, including the Panama trial, the disqualification and arrest of Nawaz Sharif, the National Accountability Bureau (NAB) references, the Pashtun Tahafuz Movement (PTM) and sit-ins by religious parties. The advice – delivered through the channel management, state agencies or religious parties such as Tehreek-i-Labbaik Ya Rasool Allah and Jamaat ud Dawa – has usually involved advocating a specific political narrative and imposing censorship, for example, asking journalists not to cover PTM gatherings or to use derogatory language for senior PML-N leadership and the word '*mujram*' [convicted] for Nawaz Sharif.

Another columnist reports having received press advice several times, over the telephone or at meetings. Pressure to comply, he reports, is through warnings and veiled threats over his published columns.

A senior columnist and anchor reports having received specific press advice both orally and in person (a) not to project Nawaz Sharif or the PML-N, (b) to make no reference to any connection between the judiciary and military, and (c) to refrain strictly from criticizing the armed forces. He terms 'self-censorship' the 'new normal'. He also alleges that the Economic Affairs Division has consistently refused to grant his organization a no-objection certificate – which refusal he traces to the security agencies – and that this has effectively led to a suspension in all funding to the organization. The respondent feels this is directly related to his refusal to comply with 'official policies' in terms of reporting and analysis, but that seeking any relief from the authorities is futile.

A news director at a news channel in Lahore reports having received regular press advice from state agencies warning that news transmissions must use the words 'criminal' or 'convicted' to identify former Prime Minister Nawaz Sharif. The message put across is that 'you are either with us or against us.' In another instance, the respondent received an urgent WhatsApp call, reportedly from a state agency's media cell, telling him not to send a DSNG team to cover the PTM rally in Swat at any cost.

Commenting on the extent to which the broadcast media is 'managed' by the establishment, one columnist and anchor has said:

The electronic media has been taken over by state agencies. Censorship is visible across this sphere. Geo TV and *Dawn* resisted. The distribution of *The News* and *Jang* was stopped and Geo surrendered to the conditions imposed by state agencies. *Dawn* is still resisting. All TV shows are regulated and monitored. A battery of so-called security experts is deployed – you can see them on every TV talk show – and anchors are told whom to invite or not and what questions to ask.

My own columns have been dropped and censored. The modus operandi of taking any TV channel off air is simple. Low-ranking and middle state agency personnel call the cable owners.

PEMRA is helpless. The ‘coats’ turn a blind eye: this is not an issue for suo moto notice. There is a malicious campaign underway against those who dare to dissent.

There is an interesting chain of communication involved here: at least four television or radio journalists in Lahore report that, in addition to communicating directly with ‘errant’ journalists, state agency media cells tend to approach channel or newspaper owners directly, threatening their channel/publication or parent business with NAB or Federal Investigation Agency cases unless they agree to abide by certain conditions – such as which words they should use to qualify political leaders or what events they are not allowed to cover (prominently, the PTM).

The secretary of a press club in Punjab reports that the organization has held demonstrations calling for persons who have intimidated the journalist community to be identified and arrested. He says, however, that the authorities consistently fail to take any action.

Sindh

Press advice is always delivered verbally, either on the telephone or in person, and usually pertains to what should not be published – for example, stories on enforced disappearances, the PTM, Baloch separatists and the Baloch rights activist Mama Qadeer – as well as which stories to highlight. Occasionally, newspaper staff are summoned to an interview. One newspaper reports having received press advice on as many as 40–50 occasions. According to respondents, the advice may be issued by civil bureaucrats and law enforcement agencies, and sometimes directly by security agencies.

Non-compliance with the advice results in the suspension of advertisements and even threats of physical harm and detention. One newspaper has received at least 10 threats over the past three years: some members of staff were called in for questioning by state agencies and interrogated about international funding and contact with separatists.

Bribes, favors or ‘fed’ narratives

Senior representatives of the establishment often offer bribes of foreign travel, allotment of plots and other privileges, or professional advancement. Respondents report that cash bribes, promises of advertisement revenue and government jobs are offered freely.

At least four television or radio journalists in Lahore report that state agency media cells tend to approach anchors with noticeably right-wing leanings – those perceived as being able to stir up popular sentiment around issues such as corruption, the blasphemy laws and the rights of religious minorities – who, reportedly, control the content of their programs, effectively bypassing the editorial role of news directors. Such anchors become a direct line through which pro-establishment news can be disseminated easily. The subtext conveyed by the respondents was that such anchors receive bribes or, at the very least, favors from state agencies.

A *Dawn* correspondent in Multan claims he was offered three plots of land and PKR 4 million by unnamed individuals and government functionaries to refrain from covering certain topics. He says that investigative journalism attracts prolonged intervention.

Role of journalists’ unions or associations

At least five respondents in Lahore and one in Islamabad felt that journalists’ unions were too splintered to speak with one voice against such instances of intimidation and harassment. Many had either been compromised or were too afraid to take a strong stand, even going so far, said one respondent, as to ‘blame the victim’.

In 2017, the Rawalpindi-Islamabad Union of Journalists (RIUJ) instituted a fact-finding team to investigate an attack on a senior journalist. Although the team claims it has submitted its report, the RIUJ has yet to officially release the document. When the journalist questioned this delay, he was told off the record that fact-finding team members had been harassed and, in some cases, their homes raided, allegedly to look for materials related to the fact finding.

Following a press conference held by a state agency in June 2018, which included a presentation slide featuring the names and photographs of numerous journalists and social media activists branded ‘anti-state’ and ‘anti-

army', the Pakistan Federal Union of Journalists (PFUJ) issued a strong statement criticizing this step. A senior journalist who was among those featured on the slide, says he was told by another source that the agency had, off the record, 'regretted' using the slide. He advised the PFUJ to clarify this in its statement. Instead, the statement was retracted soon after.

Conclusion

That journalists feel compelled to practice self-censorship and what one respondent has termed 'fear management' as a matter of course – especially when their families are subjected to harassment and intimidation as 'soft targets' – does not point to a 'free' or 'independent' media. The modus operandi employed to intimidate journalists is systematic, strategic and clearly effective.

Moreover, the reported resurgence in curbs on distribution and freedom of expression post-elections is cause for serious concern. To be asked not to 'malign' a state institution, as one respondent has said, is one matter. To be warned categorically against reporting the *facts* of an issue – referring in this case to the recent elections – because this might, however indirectly, implicate the institution, is quite another.

If facts – that is, facts in the possession of the media – are seen as being 'dangerous' or damaging to state institutions, then it is also worth considering respondents' allegations that the same state institutions have a monopoly over access to personal or sensitive information that is used as a tool of coercion as well as persuasion. This misuse of the power of information and the extent to which independent thinking is being discouraged must be acknowledged and addressed immediately by the new government so that its democratic credentials are not sullied at the very outset.

Based on its findings, HRCF calls on the new federal and provincial governments of Pakistan, their administrative branches and all other state institutions and services to:

- Take due notice of the complaints it has documented.
- Take appropriate steps to prohibit and prevent unauthorized, illegal and unlawful interference with freedom of expression in the country.
- Protect the right of television channel and news publication owners to function with dignity and in peace.
- There should be no interference in the sale and distribution of any newspaper, nor should any TV channels be deliberately displaced.
- The system of issuing 'press advice' or press-advice-like 'instructions' on the part of state agencies must cease immediately.
- All complaints of this nature should be redressed promptly.
- Complete and effective information commissions are set up in each province to implement the state's obligations under the Right of Access to Information Act 2017.

Appendix 1: Fact-finding report questionnaire

اظہار رائے کی آزادی پر قدغنیں

سوالنامہ (Questionnaire)

(Part 1: About the witness / deponent) پہلا حصہ: گواہ / بیان دینے والے کا مختصر تعارف

نام (Name)
رابطہ نمبر (Tel number)
تنظیم (Organisation)
عہدہ (Designation)
تجربہ (Experience)
انٹرویو کی تاریخ (Date of interview)

(Part 2: Nature of grievance) دوسرا حصہ: شکایت کی نوعیت

صحافتی امور کے بارے میں ہدایات، دھمکیاں، حراست، عنایات، کاروبار میں مداخلت

(Press advice, threats, detention, bribery, favours, interference with business)

(Press advice) صحافتی امور کے بارے میں ہدایات

آپ کو آپ کی صحافتی ذمہ داریوں کے حوالے سے کوئی ہدایت دی گئی ہے؟ (Have you been receiving press advice?) ہاں (Yes) <input type="checkbox"/> نہیں (No) <input type="checkbox"/>
گزشتہ تین برسوں میں آپ کو کتنی بار ہدایت کی گئی؟ (How many times over the past three years?) ہدایت کی نوعیت کیا تھی؟ زبانی / تحریری۔ آپ سے ملاقات کر کے دی گئی یا آپ کو طلب کر کے یا اتفاقاً ملاقات ہونے پر؟ (In what form? Oral / written, on visit or after being summoned or chance encounter?)
ہدایت تھی کیا؟ (فلاں چیز کو شائع / نشر کرو یا فلاں چیز کو شائع / نشر نہ کرو۔ یا کسی کام کے متعلق وارننگ دی گئی تھی) (Substance of advice: publish / telecast this or not this. Or warning against this or that)
ایسا کتنی بار ہوا؟ (Number of instances)
ہدایت کس نے دی تھی؟ (Advice given by whom?)
آپ نے ہدایت پر کتنی بار عملدرآمد کیا / عملدرآمد نہیں کیا اور اس کا نتیجہ کیا نکلا؟ (How many times advice obeyed / disobeyed? Consequences?)

دھمکیاں (Threats)

(Have you or a colleague been receiving threats?) ؟ آپ کو یا آپ کے ادارے میں آپ کے کسی ساتھی کو دھمکیاں ملی ہیں ؟ ہاں (Yes) <input type="checkbox"/> نہیں (No) <input type="checkbox"/>
(How often over the past three years?) ؟ گزشتہ تین برسوں کے دوران کتنی بار دھمکی دی گئی؟
(Means and form of threat?) ؟ دھمکی کے لیے کون سا ذریعہ استعمال کیا گیا اور دھمکی کی نوعیت کیا تھی؟
(Substance of threats)؟ دھمکیوں میں کیا کہا گیا تھا؟
(Who makes the threat?) ؟ دھمکیاں دیتا کون ہے؟
(Can the person issuing threats be identified)؟ دھمکیاں دینے والے فرد کی نشاندہی ہو سکتی ہے؟
(Consequences of obeying / disobeying) ؟ دھمکی دینے والے کا مطالبہ ماننے / نہ ماننے کے نتائج کیا تھے؟

حراست (Detention)

آپ یا آپ کے ادارے میں آپ کے کسی ساتھی کو پوچھ گچھ کے لیے یا حراست میں رکھنے کے لیے کبھی اٹھایا گیا ہے؟ (Have you or a colleague been picked up for questioning or detention?)
کتنی بار اٹھایا گیا اور کتنے عرصے کے لیے؟ (How often and for how long?)
کس نے اٹھایا تھا؟ (By whom?)
کس بارے میں پوچھ گچھ کی گئی؟ (Questioned about what?)
کسی قسم کی وارننگ یا دھمکی دی گئی؟ (Any warning or threat?) ؟ ہاں (Yes) <input type="checkbox"/> نہیں (No) <input type="checkbox"/>
آپ نے قانونی چارہ جوئی کی؟ (Did you seek a legal remedy?) ؟ ہاں (Yes) <input type="checkbox"/> نہیں (No) <input type="checkbox"/> اس کا نتیجہ کیا نکلا؟ (Result?)

آپ کو رہائی کیسے ملی؟ کسی قسم کی شرائط کے تحت رہائی ملی تھی؟ (How were you released? Any conditions?)

رشوت اور عنایات (Bribery and favours)

آپ کو کسی حکومتی اہلکار نے کوئی کام کرنے یا نہ کرنے کے بدلے میں مالی معاوضے کی پیشکش / وعدہ کیا ہو؟
(Have you been offered / promised by anyone in authority a financial reward for doing or not doing something?)

کتنی بار ایسی پیشکش کی گئی؟ (How often?)

سب سے بڑی پیشکش کیا تھی؟ (The highest offer?)

کس نے پیشکش کی تھی؟ (Who made the offer?)

آپ کو کوئی کام کرنے یا نہ کرنے کے بدلے میں پیسوں کے علاوہ کسی اور چیز کی پیشکش کی گئی؟ (مثال کے طور پر پلاٹ کی الاٹمنٹ، بینک سے قرضہ، سرکاری تجارتی ایجنسی، سرکاری وفد کے ساتھ یا اس کے علاوہ کسی اور حیثیت سے غیر ملکی دورہ، خاندان کے کسی رکن کی مدد؟

(Have you been offered a non-cash reward for doing or not doing something? Such as allotment of a plot, bank loan, agency of a public sector enterprise, foreign travel in a state delegation or otherwise, favours to a family member, etc)

پیشکش کس نے کی تھی؟ (Who made the offer?)

مدد کے عوض مدد کی پیشکش کی گئی ہو؟ (The quid pro quo?)

کاروبار میں مداخلت (Interference with business)

کسی ریاستی اہلکار نے آپ کے کاروبار میں مداخلت کی ہے؟
(Has your business been interfered with by any state functionary?)

مداخلت کسی حکم کے تحت کی گئی تھی یا اس کے بغیر؟ (Through an order or without it?)

اگر ایسا کسی حکم کے تحت ہوا تھا تو وہ حکم زبانی تھا یا تحریری؟ (If through an order, oral or written?)
مداخلت کی نوعیت؟ (Nature of interference)
مداخلت کا دورانیہ؟ (Period of interference)
آپ کو اندازاً کتنا نقصان برداشت کرنا پڑا؟ (Approximate cost / loss?)
کس کے حکم پر مداخلت کی گئی؟ (Who gave the order?)
آپ کو نشانہ بنانے کی کوئی وجہ؟ (Any idea of the reason for targeting you?)
آپ نے داد رسی کے لیے حکام سے رابطہ کیا؟ (Did you seek relief from the authority?)

(Questions for all witnesses) تمام گواہوں سے متعلقہ سوالات

کیا آپ پر ہونے والے حملوں سے بطور صحافی آپ کا کام متاثر ہوا؟ (Have the attacks on you affected your work as a journalist?) <input type="checkbox"/> (Yes) ہاں <input type="checkbox"/> (No) نہیں اگر ہاں تو کس طرح متاثر ہوا؟ (If so, in what way?)
آپ کسی پیشہ وارانہ ایسوسی ایشن سے تعلق رکھتے ہیں؟ (Do you belong to a professional association?) <input type="checkbox"/> (Yes) ہاں <input type="checkbox"/> (No) نہیں
آپ نے اپنی تنظیم کو شکایت کی تھی؟ (Did you file a complaint with your organisation?) <input type="checkbox"/> (Yes) ہاں <input type="checkbox"/> (No) نہیں
کوئی نتیجہ نکلا؟ <input type="checkbox"/> (Yes) ہاں <input type="checkbox"/> (No) نہیں
آپ کچھ اور کہنا چاہیں گے؟ (Would you like to say anything else?)

Appendix 2: Curbs on distribution of *Dawn*

This appendix contains extracts from a report received from the *Dawn* management in July 2018. The management has alleged that ‘disruptions and intermittent closures’ by ‘commercial establishments and residential areas’ associated with security agencies have undermined the newspaper’s right to free expression, impinging on Article 19 of the Constitution of Pakistan, which guarantees the freedom of the press. The report adds:

We also strongly protest the malicious campaign launched against *Dawn* where it is alleged that *Dawn* is a traitor – anti-Pakistan and disloyal.

Since October 2016, the distribution of *Dawn* has suffered stoppages and disruptions to its supply across the country. We have been given to understand that the copies are being cut to punish *Dawn*, which is being branded as a traitor for ‘*Dawn* Leaks’ and the subsequent publication of the Nawaz Sharif interview. Over this period, the policy seems to be to cut copies gradually and then bring them to a zero level so as to cripple *Dawn* and teach the newspaper a lesson.

The *Dawn* management reports that the newspaper’s Islamabad edition has lost 2,295 (daily) and 2,297 (Sunday) copies due to ‘complete closure or substantial reduction’. Its distribution – primarily to institutions and offices associated with security or intelligence agencies – has been adversely affected in numerous cities, including Islamabad, Rawalpindi, Peshawar, Nowshera, Abbottabad, Attock, Dera Ismail Khan, Kotli, Dina, Peshawar, Kohat, Murree, Kamra, Mardan, Bagh, Chakdara and Mangla. Among other institutions to which distribution has been curtailed or discontinued are Heavy Industries Taxila, the Pakistan Atomic Energy Commission, Nescom, Fauji Cement and the Heavy Mechanical Complex in Taxila.

The Lahore edition has lost 777 (daily) and 782 (Sunday) copies – again, with circulation curtailed in residential areas and educational institutions associated with state agencies as well as bases and cantonments in Lahore, Jhelum, Kharian, Sarghoda, Kasur, Okara, Gujranwala, Rahwali, Sarai Alamgir, Chunian, Sialkot, Multan, Bhimbir, Sialkot, Shorkot and Faisalabad.

Similarly, the Karachi edition has been cut by 859 (daily) and 1,310 (Sunday) copies with stoppages and disruptions in residential areas and educational institutions associated with security agencies as well as bases and cantonments in Larkana, Mehar, Moenjodaro, Shadadkot, Shahnawaz Bhutto, Ratodero, Qamber Ali Khan, Pano Aqil, Naushero Feroz, Sukkur, Daharki, Ghotki, Nawabshah, Mirpurkhas, Kotri, Khairpur Nathan Shah, Quetta, Gadani, Turbat, Gwader, Sibi, Mastung, Kalat, Pishin and Sui.

The management reports that distributors of *Dawn* in many cities have been summoned by intelligence agencies and ‘told categorically that *Dawn* has to be stopped’, that ‘by distributing *Dawn*, they are indulging in anti-Pakistan activity.’ In Mastung and Kalat, for example, distributors were informed that they would face ‘dire consequences’ if they continued to distribute *Dawn* the next day. They were also told that ‘their allegiance should be to Pakistan first and not to an “anti-Pakistan” newspaper.’

In addition, distributors have been informed that ‘this initial warning was very polite and if they persist in defying instructions, strong-arm tactics will be used, which will endanger their life and that of their families.’ On pleading that their livelihoods would be affected, distributors were told that they should simply distribute ‘other newspapers’. On explaining that ‘customers did not want other papers’, they were told to engage in ‘other business if they wanted to make ends meet’.

The report from *Dawn*’s management adds that ‘the delivery of copies in cantonment and DHA areas across the country is being strictly monitored’ by security personnel at check-posts:

[They] physically check the bags of the distributors before they enter gated communities such as Askari and other cantonments across the country. The distributors are asked if they have *Dawn*. If the distributor accepts that he is carrying *Dawn*, then his copies are taken away and he is told to collect *Dawn* on his way out. At the same time, he is warned not to bring *Dawn* the next day. If the distributor is caught lying during checking, then *Dawn* is taken from him and ripped up.

According to *Dawn*, a civilian agency has made the following observations concerning curbs on distribution to newspapers in Larkana:

As you may be aware that *Dawn's* supply was being disrupted in different parts of the country. Supply to Larkana was also disrupted for over three weeks as some sensitive agencies had asked their agent not to receive any copy of *Dawn* for distribution in Larkana. On Sunday 27 May, their personnel checked the combined van carrying all the newspapers and upon not seeing *Dawn* had let the van go and all newspapers got distributed in routine. However, today, i.e., Wednesday 30 May, when these personnel checked the van at Nokot, a little before Larkana, there was one bundle of *Dawn* [was] found. On this they confiscated the entire van load of newspaper and took all newspapers away, there are also reports that the van driver was made subject to physical abuse/manhandling by these people for bringing *Dawn* in the van. Hence, till the last reports (just now), no Karachi-based newspaper was distributed in Larkana today. This included *Jang*, *The News*, *Express Tribune*, *Jurrat*, *Riasat*, *Khabrain*, *Nawa-e-Waqt*, *The Nation*, *Daily Times*, *Dunya*, *Nai Baat*, *Ummat* and the *Business Recorder* [sic].

Further tactics designed to intimidate distribution agents include summons by state agencies, ordering office bearers of press unions in Karachi and Lahore to provide details of *Dawn's* distribution. The newspaper's Quetta office was approached and asked to provide 'details of distribution in Balochistan over the last 10 years.'

The report adds that 'every television channel, including ARY' has consistently aired and debated the allegedly 'anti-establishment remarks of Nawaz Sharif.' It is, therefore, 'strange' that *Dawn* alone is being persecuted for having published the former Prime Minister's remarks, although 'he has repeatedly claimed that he gave those remarks, establishing very clearly that the paper has not misreported [his statements].' The report concludes by saying that 'stifling the voice of a paper founded by Quaid e Azam that reports without fear or favor does not bode well for the establishment or the country.'

Appendix 3: Curtailment of freedom of expression in the digital sphere

Pakistan is not new to censorship of its print, radio and TV media. However, with the growth of access to the Internet – and, with it, social media – state authorities have started focusing on censorship of digital media as well.

The Internet is an important information conduit that is more democratic than other media. Any citizen can set up a social media account and use it to express her or his views, take part in political discussions and share information that might not be reported by mainstream media. The Internet expands access to information from areas that are deemed out of reach for the mainstream media, such as the former FATA, Balochistan, Gilgit-Baltistan and smaller towns and villages across Pakistan. It also gives a voice to citizens who do not have access to the media and are not heard. In this sense, the mainstream media has also become more reliant on social media for information, which makes the flow of information more holistic and relatively free of editorial control.

While YouTube was blocked for three years on religious pretexts, several websites remain blocked, including those of political parties, human rights movements and new digital media setups. For instance, the Awami Workers Party (AWP) website was blocked in June 2018 – a little over a month before the general elections for which the party had nominated several candidates. Safenewsrooms.pk, which sought to uncover media censorship, was blocked only a week into its launch on World Press Freedom Day in May 2018.

The constitutional rights to freedom of speech and the press under Article 19 and the right to information under Article 19A apply to the digital sphere. Yet, social media users – including activists, journalists and political workers – continue to face threats, intimidation, organized trolling and the risk of abduction as a consequence of expressing themselves online, especially when this relates to criticizing the policies or functioning of state agencies.

The enforced disappearance of five bloggers in January 2017 marked the beginning of patterns of intimidation in Pakistan's digital sphere. Despite the passage of the Prevention of Electronic Crimes Act (PECA) 2016 – which faced stiff opposition from civil society and the media for several oppressive clauses, such as Section 37, which empowers state agencies to remove content from the Internet – extrajudicial acts by alleged state functionaries continue with impunity.

Another trend involves the Federal Investigation Agency (FIA), which has reportedly begun to call journalists and social media users, asking them to attend 'hearings' in relation to their online activity. This is done evidently without any official order being issued. Most of these cases relate to criticism of religious militancy or the establishment's policies. The use of labels such as 'traitor' or 'blasphemer' – and sometimes both – is common for targets of censorship on social media.

This section covers interviews with political and digital activists, journalists, bloggers and lawyers. It also includes publicly available information on digital attacks and the detainment of senior activists and journalists.

Press advice

In the digital age, the realm of what constitutes 'the press' now extends to the online world, accessible to anyone with a smartphone and Internet access. This has also meant that many journalists use the Internet and social media to keep citizens informed – more so in an age of extreme curbs on print and broadcast media.

Given this, the curbs on digital media have increased. The state's resolve to keep a check on the digital world was clear with the introduction and passage of the PECA in August 2016. The Act contained draconian clauses such as Section 9, which criminalizes the 'glorification of an offence', Section 10 relating to cyberterrorism, which refers to 'creating a sense of panic in the government' and Section 37, which legitimizes removing content from the Internet.

Similarly, press advice to social media users, especially those critical of state policies, has also increased. Issues that invite the most press advice include criticism of the policies of security agencies, violent extremism and questions regarding any link between the two. Respondents have testified to receiving advice from civil and other agencies as well as friends, family and colleagues

The frequency of this advice depends on the frequency of targets' online or on-ground activity. For instance, political activists associated with leftist parties who have also been involved with the Pashtun Tahafuz Movement (PTM) say they received a call or visit each time they announced a public meeting or a protest demonstration and were asked to cancel the event.

One journalist recalls six instances where editors as well as intelligence officials called him or asked to meet him to advise him to stop tweeting anything negative about the country's security forces. He also received a call from an intelligence official when he wrote a piece on the difficulty of reporting from FATA. The journalist was shown his 'file', which contained his published pieces and a diagram illustrating his Twitter activity and connections. He was told that accounts associated with the Indian and Afghan intelligence were retweeting him and using information he tweeted against the interests of Pakistan: this created a negative image of the security forces among the youth, which is why he should stop.

One blogger says that pressure from friends, family and former colleagues has been immense – in the form of calls and messages asking her to delete her tweets or remove videos from her YouTube channel.

Press advice to social media users for their social media activity is given on the telephone, in person after a summons, during chance encounters or through mutual contacts. Political activists say they often receive visits from agency officials at their office. One journalist was sent screenshots of his tweets via WhatsApp by a state agency official and asked not to criticize the policies of the security forces.

The substance of this advice usually ranges from orders to tone down the language and warnings not to write on certain issues during 'sensitive' times to direct instructions to delete specific tweets. The frequency of advice depends on the frequency with which social media users publish any material deemed objectionable. One respondent reports having received such advice six times in the past three years. Others indicate between 13 and 25 times.

Apart from constant pleas from friends and family, the more serious nature of press advice to social media users comes from people who say they are state agency officials. If it is someone from a civilian agency, they usually identify the office they are calling from. Non-civilian agencies are more threatening and do not specify who they are, according to one political activist. A journalist says he has received advice from both civilian and non-civilian agencies.

'The decision to obey or disobey advice is made after calibrating the threat and then shaping discourse in terms of the existing level of threat, especially when there are specific concerns about people's safety,' says one political activist.

A journalist who was under a lot of pressure from a senior security agency official said the latter refused to hang up until the journalist had deleted the 'offending' tweet. He says the consequences of disobeying include not being invited to state agency events and being denied footage that is usually provided to journalists – this affected his work. It also caused problems with his employer since he was a foreign correspondent and relied on access.

One blogger says she might have obeyed around 3 percent of the advice given to her.

A correspondent for an international news agency reports receiving press advice to angle news and feature stories on security-related issues in a manner that is sympathetic to the security forces, or to not run the stories entirely. The advice has never been obeyed. The consequences were lack of access to state agencies for press releases and/or responses to queries for a limited period.

Impact of attacks on colleagues

One reporter has said that attacks on his colleagues and friends in the profession have affected him profoundly. The fact that journalists are harassed and abducted and their organizations targeted due to their work, means that any stories on security policy or certain aspects of politics now carry inherent risks. While he has not stopped reporting on such issues, he has put into place security check-in protocols with his organization. Moreover, the atmosphere necessarily strangles certain forms of reporting, which makes it almost impossible to report accurately on the news.

Threats

Threats received by social media users critical of state policies and religious extremism are high in number. All those interviewed said they had received threats in one way or another.

One respondent, a lawyer, testified to receiving threats each time she has written on the blasphemy law, the security forces or religious extremism. She receives threats via email, comments on her YouTube channel, on Twitter and Facebook, and threats conveyed through other people. The substance of these messages includes the threat of

physical violence or facing professional consequences, such as being told that it will be almost impossible for her to return to Pakistan or find employment there. Her family has also received threats and she has been told that, if she does not quiet down, her family may be harmed. There have also been attempts to publicly accuse her of blasphemy, which is a form of incitement to violence in the current sociopolitical climate of Pakistan.

The consequences of disobeying threats include a continuous stream of threats and abuse that become more persistent if one continues to speak freely, says one blogger. She has had to deactivate her Facebook and Twitter accounts on multiple occasions as a result, which she says certainly curtailed her freedom of expression.

Another respondent, a political activist, says that they always know they are being watched. This, and the visits and calls, are to convey the message 'Don't get too out of hand.' However, the threats are not made openly because, as a political party, they have a voice that also resonates internationally, for example, when a party member went missing last year.

One journalist says that the threats are sometimes implicit (such as being told 'You have a long career ahead') and sometimes direct (such as 'You are ruining your career for yourself', as he was once told by an intelligence agency official). Casual remarks, and sometimes serious ones, were also made to his colleagues and friends. The substance of the threats is the same – to stop criticizing security policies – and are made by civilian and non-civilian officials. He says he can usually identify the people issuing threats, although intelligence officials tend to use false names. He has had to face extreme consequences for disobeying, in the form of an abduction attempt by people he alleges were linked to state agencies, after which he went into exile.

Another political activist says the threats are not direct, but there is constant harassment through different means and there have been dire consequences for not remaining silent. When her car was stolen from a highly secure area, the police told her there had been no such cases in the area and her car seemed to have been 'marked' as there was a special officer on duty in the area. They refused to trace the car through CCTV footage and said they could not help, even after receiving information that the car was on the motorway.

Detention

One respondent, a journalist, says he was almost detained once when after he had filed a petition at the Islamabad High Court. Two inspectors came to his house asking for him while he was not home. His family was told that if he did not appear before an inquiry committee of which 'he is well aware', then he would be arrested and prosecuted under the PECA 2016. He also escaped an abduction attempt, during which his travel documents, laptop and phone were taken. He left the country soon after due to fears of security.

He engaged legal counsel and filed a petition against harassment by the FIA over his tweets, arguing for an end to harassment and for all proceedings to be conducted according to the law. However, hearings for the case would be marked as the 17th case or so, which meant the case hearing at the court would pass before it was time for his case. He has been told that this usually means there is pressure for the hearing not to take place.

Another political activist says she was detained for one night a day before a PTM rally earlier this year. She says that the administration was told by intelligence agencies to arrest these 'terrorists'. They were threatened, asked to call off the protest and dismantle the PTM, and were called 'traitors'. She says her colleagues had big-grade weapons pointed at them. When she made a noise about the absurdity of the situation, she was hit with the butt of a gun and pushed: her head hit the wall, her glasses broke and she hurt her hand. She was locked in solitary confinement overnight, where the district administration and other state agency officials were present. They did not seek legal remedy, but asked the law enforcers to follow the law and due process instead of extrajudicial actions. They were released the next day after numerous protests and social media pressure.

Another journalist and social media user, whose columns have often criticized security forces for their role in politics, was abducted from a cantonment area by masked men who detained her for four hours before dropping her home. In an interview with Reuters, she 'credits her release to swift coverage by international media outlets and a ferocious social media backlash in Pakistan, which saw politicians and rights activists across the political spectrum voice their outrage about her disappearance on Twitter. She said her abduction had nonetheless sent a message that "nobody is untouchable, no one is immune" ahead of polls.' She also told Reuters that 'I feel very insecure. I have restricted my son's movement. I worry every time my husband or I go out,' adding that she now 'often sends live updates on her whereabouts via WhatsApp to a friends and family group.'

Bribery and 'favors'

One journalist says he has not been offered a bribe directly but was told at a meeting with state agency officials that he could work with them on documentaries for which they had 'a good budget.' Another time, he was called by an intelligence official who pressurized him to delete a tweet and they said they would take him to North Waziristan Agency for press coverage, although they never did when he submitted an application. He says this is likely because he continued to express his views on Twitter.

Another respondent says she received an anonymous call from someone saying he lived in London and could provide her funding for projects, but refused to identify himself.

One reporter was visited at work by state agency officials and told that his remarks on Shia killings and Balochistan while on air were unacceptable. He was told that, if he worked for them, they would provide inside information. He was also summoned to the intelligence agency office and told that his posts on social media were 'anti-state'. He was instructed not to write against law enforcement agencies and to report anyone who tweeted something that might be deemed objectionable.

Interference with business/organization

Blocking websites

One journalist set up a website to enable whistle-blowers to unmask censorship in Pakistan and launched it on World Press Freedom Day in 2018. However, the website was blocked for access in Pakistan as 'prohibited content'. He has not seen an order for its blocking, but was told by an Internet service provider that the Pakistan Telecommunications Authority (PTA) had ordered them to block the website. This has a cost in terms of time: he now has to tailor posts for publication on social media rather than on the website. He thinks the reason his website was targeted is that it focuses on how journalists exercise censorship in Pakistan, as well as issues related to security and religion, discussion of which is considered taboo. He has covered issues such as the rights of Ahmadis and the arrest of journalists in Gilgit-Baltistan. People have written to the PTA about this case but have not received a response.

Respondents involved with the AWP say its website has been blocked since June 2018 – less than two months before the national elections in which the party fielded several candidates. They had to create a new website for campaigning, which cost money and time. The website was allegedly blocked without an order. The respondents say they were targeted because they speak out against the establishment and the right wing. They claim having reached out to the PTA and ECP, but the PTA has yet to respond.

Another respondent, a blogger, says that there was a period in early 2018 when her op-eds were not published by the newspaper for which she wrote regularly. She was told by the editor that the topics she was writing on were too sensitive. She believes the order may have been given by someone in the establishment about whom she was writing, and that she was targeted as pressure tactic to silence her.

Commenting on online censorship, one digital rights activist says that it is unfortunate that blocking websites and online content, especially related to dissent, has become normal practice. She says that earlier cases of censorship attracted a hue and cry, but the frequency has risen so much that people have accepted it as reality. She finds the normalization very problematic and thinks that the demand for free speech against censorship should come from citizens.

Digital interference: hacking, malware, surveillance

One respondent says that, every few weeks, he receives alerts about suspicious activity on his social media and email accounts, indicating that someone is trying to gain access to them. He also regularly receives phishing emails. When state agency officials visited his house, they also asked for his devices but he was not home. He believes their intention was to access them. Subsequently, his computer and phone were taken away during an attempted abduction. He experiences mass trolling online every day and has muted over 1,000 accounts on Twitter. He says he once came across a student at a university in Islamabad who told him that an intelligence agency had tasked him to follow and document the respondent's work, for which the student received compensation. When the respondent asked an agency official, the latter denied paying any students for such work.

Another respondent says there have been several attempts to hack his email and social media account, one of which was successful. He says he regularly receives notifications from Facebook and Google about attempts to gain access to his accounts, adding that, during the protests calling for missing bloggers to be returned (in 2017), he was trolled and attacked online by several right-wing trolls and pro-security force bots.

A senior political activist says that her computer was attacked with malware through a video link sent to her three days before the PTM rally in Karachi in May 2018. She says she experiences trolling and abuse on social media every day. During the time the PTM rallies were taking place, her Internet data was blocked by her service provider for about a month. When she called them, she was told there was an 'issue', which they did not resolve.

Another blogger says her phone was hacked in late June 2018, as she received an email containing personal information that was available only on her phone. She also says there have been unsuccessful attempts to login to her Facebook account. The respondent reports facing regular mass and organized trolling online, frequently in streams. She has reported two such cases to the FIA but did not receive any response.

In May 2018, Amnesty International released a report on 'a campaign of hacking, spyware and surveillance targets human rights defenders' through emails and social media. The document details the case of a senior activist in Lahore who had started a campaign calling for the recovery of a friend, a peace activist who had been forcibly 'disappeared'. Several suspicious people began to reach out to her.

The report states that 'one Facebook user who claimed to be an Afghan woman named Sana Halimi, living in Dubai and working for the UN, repeatedly contacted [the activist] via Facebook Messenger saying that she had information about [the activist's friend]. The operator of the profile sent [the activist] links to files containing malware called StealthAgent which, if opened, would have infected her mobile devices.' Amnesty International believes this profile was fake and was used to trick the activist into 'divulging her email address, to which she started receiving emails infected with a Windows spyware commonly known as Crimson.' She also received emails 'claiming to be from staff of the Chief Minister of Punjab province. The emails included false details of a supposed upcoming meeting between the provincial Ministry of Education and [the activist's] organization.'

A leading digital rights activist says that it is very important for activists, human rights defenders, lawyers and journalists to look carefully at their use of online spaces. She says that the nature of attacks has changed, be it surveillance, hacking, impersonation, hate speech or abuse online. Attackers are now very sophisticated, using social media platforms for phishing attacks and for targeted surveillance and monitoring. She says that human rights defenders need to become more aware of online spaces in terms of using these more safely and securely.

Conclusion

There is a clear pattern of intimidation and threats to journalists and bloggers as well as activists who not only use the online sphere for their work, but also to exercise their fundamental constitutional rights. These include: Article 10, which guarantees fair trial but is violated through arbitrary detention and enforced disappearances; the right to privacy under Article 14, which must be seen as protecting private communication over the Internet; Article 17, which guarantees freedom of association; Article 19, which guarantees the right to freedom of speech and freedom of the press; and Article 19A, guaranteeing the right to information.

While the PECA 2016 covers several cybercrimes to protect users, several sections such as Sections 9, 10 and 37 are draconian and being abused to silence dissent and criticism of state policies.

One digital rights activist has commented that different reports, such as that by the UN Special Rapporteur, on the right to privacy and right to freedom of expression now focus a great deal on online human rights. This says a lot about online spaces and digital rights across the globe. In Pakistan, where the national security narrative is so strong, people are afraid to raise their voices against blocking and censorship because they know where it is coming from.

There is a dire need for state institutions and for the new government to respect the sanctity of fundamental rights as guaranteed by the Constitution, and for the courts to uphold these rights and hold to account all those that violate them, no matter how powerful. This is in the best interest of Pakistan and will help make it possible to achieve a just and democratic society where citizens are not punished for holding views on how they should be governed through the money they pay as taxes and the votes they cast. Without a transparent flow of information in the offline and online media, the democratic process cannot be fair and rights cannot be upheld.

Appendix 4: Media responses to curbs on press freedom

3 April 2018

Geo News Blackout

'Where Interior Minister Ahsan Iqbal has asserted that neither PEMRA nor the Ministry of Information had issued any directions for its suspension, the coercive elements behind this action should be brought to the fore, as only PEMRA or a court of Law have the legal sanction to block channels.'

'If PEMRA has indeed authorised this clampdown, then the charges should be made clear. If PEMRA denies involvement in it then it should investigate into this contravention of its authority. At this juncture, any tampering with media outlets sabotages the transparency and fairness of the upcoming general elections. Access to information is our fundamental right and such a deliberate strangulation of the media without stated cause is against the spirit of democracy' (*The Nation*).

<https://nation.com.pk/03-Apr-2018/geo-news-blackout>

3 April 2018

Pemra to take action against suspension of channels

'Taking note of reports regarding suspension of channels associated with GEO TV network, the Pakistan Electronic Media Regulatory Authority (Pemra) has announced that it will take action against the cable operators not airing the licensed channels.'

'In a statement issued on Monday, Pemra clarified that the authority had not given directives for closure of any channel' (*Dawn*).

<https://www.dawn.com/news/1399260>

4 April 2018

Bullying the media

'As if reports of a widespread blackout of a news channel across various parts of Pakistan over the past few weeks were not troubling enough, Minister for Interior Ahsan Iqbal's assertion that neither the information ministry nor Pemra is behind this move (which was subsequently corroborated by both institutions) is cause for considerable alarm.'

'While this is not the first time that Geo News has been abruptly pulled off air, the current suspension demonstrates an increasingly sophisticated form of media censorship in its clandestine circumvention of institutional mandate and denial of due process.'

'Today, Geo is in the crosshairs, but the failure of others to call out and resist such intimidation now could threaten to destabilise the entire institution of journalism in Pakistan tomorrow' (*Dawn*).

<https://www.dawn.com/news/1399491>

5 April 2018

International, national journalist bodies decry suspension of Geo TV

'International and national journalist bodies on Wednesday condemned the illegal suspension of the Geo News transmission, saying that gagging of media is direct assault on freedom of speech and access to information which is guaranteed in the Constitution of Pakistan.'

'They said that such closure of TV channel is unlawful and violates basic rights, demanding the authorities concerned immediately take action and restore the channel's transmission without any interruption' (*The News*).

<https://www.thenews.com.pk/print/300613-international-national-journalist-bodies-decry-suspension-of-geo-tv>

8 April 2018

Protest against ban on Geo News, non-payment of salaries

'The Karachi Union of Journalists (KUJ) Dastoor, and several labour unions including State Bank (CBA) union, People's Labour Bureau, National Trade Union Federation and others protested against the closure of Geo News outside the Karachi Press Club on Saturday. They later took out a rally which was addressed by leading journalists and the labour leaders who condemned the ban on Geo News and demanded its immediate restoration' (*The News*).

<https://www.thenews.com.pk/print/301968-protest-against-ban-on-geo-news-non-payment-of-salaries>

18 April 2018

Pakistani Journalists Condemn Curbs on Media

'More than 60 leading journalists, op-ed writers and editors of some major newspapers in Pakistan have condemned what they said are "the ongoing curbs on freedom of expression in the country."'

"Beginning with a crackdown against select media groups and banning the broadcast of various channels, there now is enhanced pressure on all media houses to refrain from covering certain rights-based movements," according to a statement obtained by VOA' (VOA News).

<https://www.voanews.com/a/pakistan-journalists-freedom-of-expression/4355486.html>

18 April 2018

Coercing the media

'An unannounced censorship seems to have been imposed on the media. The restrictions have certainly not been imposed by the federal government or any regulatory body. Still, the media houses are compelled to follow a diktat. Opinion pieces violating 'guidelines' have reportedly been withdrawn by the management of some leading newspapers for fear of being penalised. Indeed, TV channels are much more vulnerable to the threat. And that fear is not unfounded.'

'Punitive actions against the press will only sharpen polarisation and encourage non-professionalism' (Zahid Hussain, *Dawn*).

<https://www.dawn.com/news/1402280/coercing-the-media>

19 April 2018

Journalists sign petition against curbs on media

'More than 50 journalists, including editors and columnists, media persons and media freedom organisation representatives in Pakistan and abroad have signed a petition against curbs on media in the country in recent days.'

'The petition stated that media house managements, under pressure, are dropping regular op-ed columns and removing online editions of published articles and that one media house had even asked its anchors to stop live shows' (*Dawn*).

<https://www.dawn.com/news/1402420>

21 April 2018

It's Orwell over the weekend

'If today the media makes you feel all is well – that democracy is thriving and we can wait for the next election for its most positive manifestation, that the rule of law is supreme, that justice is being dispensed, that there is no evidence of discontent and angry words even if members of your family including your father and four brothers have been slaughtered by terrorists – then read George Orwell's 1984' (Abbas Nasir, *Dawn*).

<https://www.dawn.com/news/1402941/its-orwell-over-the-weekend>

2 May 2018

Islamabad most dangerous place to be a journalist in Pakistan, says media watchdog

'Islamabad is the most dangerous place to be a journalist in Pakistan, according to media rights watchdog Freedom Network (FN) which has released its Press Freedom Barometer 2018 – monitored from May 1, 2017 to April 1 this year – to mark the International Press Freedom Day that falls on Thursday.'

'According to a press release issued by FN, the group has recorded over 150 cases of attacks and violations against media and its practitioners, including journalists, in Pakistan in the last one year, "signifying a worryingly escalating climate of intimidation and harassment that is adversely affecting the freedom of expression and access to information environment."' (Dawn).

<https://www.dawn.com/news/1405167/islamabad-most-dangerous-place-to-be-a-journalist-in-pakistan-says-media-watchdog>

3 May 2018

The new old censorship: when power trumps truth

'Last month, several regular English-language columnists were informed by editors that their columns would not be published.'

'Critical opinions in nascent democracies like ours are persecuted because of weak institutions, limited legal frameworks and lack of political will, which are all antithetical to a free media.'

'Nonetheless, the consequences for the media remain the same: self-censorship. "[There] is pressure from the right, left and centre. I cannot write according to my own will. How can I be responsible if I am told what to write?" a former secretary general of the Pakistan Federal Union of Journalists explained.'

'The mainstream narrative in Pakistan about its press is that it is out of control, so when a media house is being asphyxiated and censorship 'directives' are followed by many media groups, it is not perceived as a damage to freedom of expression – even by sections of the media itself' (Dawn).

<https://www.dawn.com/news/1405304>

3 May 2018

Media on a short leash

'It will not be an exaggeration to say that the Pakistan media finds itself micromanaged in an unprecedented manner and prevented by fear from carrying out its primary function of informing the people, especially in view of political parties' indifference to the media's plight. The people are thus being deprived of their right to know on the eve of a general election when they need greater freedom of opinion, expression and information and not less of it' (I. A. Rehman, *Dawn*).

<https://www.dawn.com/news/1405343>

19 May 2018

HRCP sounds alarm over notice served on Dawn

'The Human Rights Commission of Pakistan has expressed concern over a notice served by the Press Council of Pakistan (PCP) on Dawn for what it called violating the Ethical Code of Practice by publishing an interview of former prime minister Nawaz Sharif. It urged the authorities not to interfere with the media's right to report fairly' (*Dawn*).

<https://www.dawn.com/news/1408593>

21 May 2018

Pakistan Federal Union of Journalists concerned over notice served on Dawn

'The Pakistan Federal Union of Journalists (PFUJ) has expressed concern over a notice served by the Press Council of Pakistan on Dawn for what it called violating the Ethical Code of Conduct by publishing an interview of former prime minister Nawaz Sharif about the 2008 Mumbai attacks.'

'The PFUJ president, Afzal Butt, and its secretary general Ayub Jan Sarhandi urged the authorities not to interfere with the right of media to report fairly, said a press release on Sunday.'

'In a joint statement, the two PFUJ office-bearers said they were concerned that the newspaper's circulation had been subjected to seemingly arbitrary curbs' (*Dawn*).

<https://www.dawn.com/news/1409013>

22 May 2018

Pakistani authorities disrupt distribution of Dawn newspaper

'Pakistani authorities should immediately halt any restrictions on the distribution of Dawn newspaper in Pakistan, the Committee to Protect Journalists said today.'

''We believe it's the right of the military or any institution to buy or discontinue any newspaper," Abbas told CPJ. "Our only objection was on stoppages of delivery to civilians living in such cantonments.'" (Committee to Protect Journalists).

<https://cpj.org/2018/05/pakistani-authorities-disrupt-distribution-of-dawn.php>

24 May 2018

Council of Pakistan Newspaper Editors voices concern at curbs on media freedom

'Arif Nizami and Dr Jabbar Khattak, the president and the secretary general respectively of the Council of Pakistan Newspaper Editors (CPNE), have expressed concern over curbs on freedom of expression, especially attempts by certain elements to hamper distribution of newspapers and electronic media transmissions' (*Dawn*).

<https://www.dawn.com/news/1409620>

11 June 2018

No fair election without free media

'A fair election requires free and independent media that can inform the public and help the electorate in making informed choices on the Election Day. But media freedoms have consistently been under attack in recent months. This is a serious cause for concern and needs to be addressed at the earliest.'

'The country's largest TV network was browbeaten into adopting a pliant line. The method chosen was even more alarming. Instead of legal proceedings through the electronic media regulator underhand means were employed to restrict the transmission of the channel in various parts of the country.'

'Pakistanis deserve better. Access to information through independent media must be a non-negotiable right' (*Daily Times*).

<https://dailytimes.com.pk/251836/no-fair-election-without-free-media/>

13 June 2018

Media freedom

'While issues of online hate material, disinformation and harassment need to be addressed, parties must also realise the importance of framing judicious digital policies grounded on the precept of a free and open internet.'

'All must pledge to uphold net neutrality, ensure accessibility (particularly for marginalised groups) and protect personal data privacy.'

'Furthermore, the country's murky cybercrime law must be amended to draw precise parameters on content regulation, limit the PTA's powers to impose restrictions and allow for public scrutiny, and curtail open-ended cyber surveillance.'

'Now and in the years ahead, a free press and an empowered citizenry will be the strongest bulwark against anti-democratic forces' (*Dawn*).

<https://www.dawn.com/news/1413206>

19 June 2018

IPI condemns intimidation of news organisations

'The International Press Institute (IPI) has expressed concern over recent "coercive measures" to curtail press freedom in Pakistan.'

'In letters sent to the prime minister, the chief justice, the chief election commissioner, the Senate chairman and the leader of the opposition in Senate, the IPI said the press faced a number of threats in the build-up to the July 25 general election, e.g. physical intimidation, abduction and torture of dissenting journalists, and blocking of news channels.'

'IPI Executive Director Barbara Trionfi wrote [that] 'Such a climate is inimical to free flow of information necessary to this election' (*Dawn*).

<https://www.dawn.com/news/1414695>

26 June 2018

Pakistani authorities urged to respect press freedom ahead of election

'Reporters Without Borders (RSF) and its local partner in Pakistan, Freedom Network (FN), sent a joint letter to caretaker Prime Minister Nasirul Mulk on 25 June, exactly one month ahead of Pakistan's general election, calling on the authorities to allow journalists to cover the campaign freely.'

'Censorship and intimidation of the media are incompatible with democracy, the letter said in essence, voicing deep concern about the increase in abuses against journalists that has had a grave impact on the proper conduct of the election campaign.'

'The letter said: "What with threats, abductions, beatings, illegal suspensions and disrupted distribution, media and journalists are being harassed by the military and intelligence services, as well by political actors, in a clear attempt to intimidate them and prevent independent reporting ahead of the elections"' (*Reporters Sans Frontières*).

<https://rsf.org/en/news/pakistani-authorities-urged-respect-press-freedom-ahead-election>

27 June 2018

Targeting Dawn

'Dawn, like all free, independent media organisations, has never argued that it does not make journalistic mistakes and errors in editorial judgement. It considers itself accountable to its readers and fully submits itself to the law and Constitution. It welcomes dialogue with all state institutions. But it cannot be expected to abandon its commitment to practising free and fair journalism. Nor can Dawn accept its staff being exposed to threats of physical harm.'

'A campaign of disinformation, libel and slander, hate and virtual incitement to violence against Dawn and its staff has necessitated placing certain matters on record.'

'The highest authorities must take note and intervene appropriately' (Dawn).

<https://www.dawn.com/news/1416394/targeting-dawn>

28 June 2018

EU election observers informed of media curbs

'Leader of the Opposition in the Senate Sherry Rehman on Wednesday brought to the notice of a European Union delegation the difficulties being faced by media, especially Dawn, across the country.'

'Senate committees had received several complaints regarding intimidation being faced by certain media outlets, particularly Dawn' (Dawn).

<https://www.dawn.com/news/1416600>

2 July 2018

CPJ calls on Pakistan's PM to protect press freedom ahead of elections

'The Committee to Protect Journalists, an independent press freedom advocacy organization, shares the hope of Pakistan's people that the country will witness its third peaceful transfer of power in the July 25 general elections. To assure that these elections are transparent and fair, however, there must be an open media environment that allows Pakistanis to fully enjoy their constitutional right of access to information.'

'We are concerned that recent events in Pakistan signal that the media is not free to report and we urge your government to take necessary measures to guarantee journalists' ability to work without fear of intimidation or reprisal.'

'CPJ has documented a series of worrisome occurrences over the past several months – some of which we included below – that have prevented the free distribution of news or that appear to be aimed at intimidating journalists into silence' (Committee to Protect Journalists).

<https://cpj.org/2018/07/pakistan-protect-press-freedom-ahead-of-elections.php>

3 July 2018

RSF, Freedom Network write to caretaker PM over curbs on media

'Reporters Without Borders (RSF) and its partner in Pakistan, Freedom Network (FN), have expressed concern over reports of media censorship in the country, observing that "censorship and intimidation of media are incompatible with democracy".'

'In a joint letter written to caretaker Prime Minister Nasirul Mulk, the RSF and FN called upon the authorities to allow journalists to cover the election campaigns freely' (Dawn).

<https://www.dawn.com/news/1417571>

3 July 2018

'Environment of Fear' Undermines Pakistan's Electoral Process, CPJ Warns

'The Committee to Protect Journalists (CPJ) has urged the Pakistani government to take "swift measures" to guarantee reporters' ability to work without fear of intimidation or reprisal ahead of this month's general elections.'

"To assure that these elections are transparent and fair... there must be an open media environment that allows Pakistanis to fully enjoy their constitutional right of access to information," the New York-based press freedom advocacy group said in a letter addressed to Prime Minister Nasir ul-Mulk on July 2.'

'In the letter, CPJ Executive Director Joel Simon wrote that a series of "worrisome occurrences" over the past months have "prevented the free distribution of news or... appear to be aimed at intimidating journalists into silence"' (Committee to Protect Journalists in Radio Free Europe).

<https://www.rferl.org/a/environment-of-fear-undermines-pakistan-s-electoral-process-cpj-warns/29334627.html>

4 July 2018

Assault on Pakistan media ahead of vote

'A massive bout of censorship of TV channels, newspapers and social media is setting the stage for parliamentary elections on 25 July.'

'Meanwhile, the military frequently and with some vehemence denies that it interferes with the press, that it is determined to safeguard a free and fair election on 25 July – although it does admit to monitoring social media commentary' (Ahmed Rashid for the BBC).

<https://www.bbc.com/news/world-asia-44693968>

11 July 2018

A dirty war on freedom of the press in Pakistan

'Certain forces aim to prevent the media from providing independent coverage of the country's central political issue – specifically, a deepening power struggle between the military and the civil authorities. The current campaign against the media involves many elements of overt coercion, including severe disruptions of the distribution network of independent newspapers and the blocking of broadcasts of dissenting television news channels.'

'Eager to maintain the facade of caretaker civilian rule, the authorities have refrained from direct censorship. Yet military officials have found other ways to assault constitutionally guaranteed media freedoms' (Hameed Haroon in the *Washington Post*).

https://www.washingtonpost.com/news/democracy-post/wp/2018/07/11/a-dirty-war-on-freedom-of-the-press-in-pakistan/?noredirect=on&utm_term=.cf1300c1b837

11 July 2018

How pressuring the media is risking the quality of our democracy

'The media is the lifeblood of an election. In Pakistan's context, even at the best of times, both elections and the media is widely believed to be adversely manipulated and influenced not just by corporate interests but also by powerful lobbies with political objectives' (Adnan Rehmat in *Dawn*).

<https://www.dawn.com/news/1419373>

12 July 2018

Protest held across country to show solidarity with Dawn

'A large number of journalists, politicians, lawyers and civil society activists showed up at protest camps set up by the Pakistan Federal Union of Journalists (PFUJ), headed by Afzal Butt, across the country on Wednesday to express solidarity with Dawn newspaper and DawnNews TV channel' (*Dawn*).

<https://www.dawn.com/news/1419545>

13 July 2018

Journalists boycott Senate proceedings.

'Senate Chairman Sadiq Sanjrani has referred complaints of "unannounced media censorship" and disruption in the distribution of Dawn to the Standing Committee on Information and asked it to present its report in one week.'

'The decision came on Thursday after a boycott of the Senate session by journalists in response to a call given by the Pakistan Federal Union of Journalists (PFUJ), headed by Afzal Butt' (*Dawn*).

<https://www.dawn.com/news/1419728/journalists-boycott-senate-proceedings>

21 July 2018

2018 Election: Civil society expresses concern over curbs on fundamental rights

'A meeting of the Joint Action Committee (JAC) of Civil Society Organisations on Friday expressed serious concern over pre-election curbs on freedom of expression and mounting pressures on independent media and civil society organizations' (*Daily Times*).

<https://dailytimes.com.pk/270744/2018-election-civil-society-expresses-concern-over-curbs-on-fundamental-rights/>

15 August 2018

International Press Institute urges Imran to address deteriorating press freedom

'The International Press Institute (IPI) – a global network of editors, media executives and leading journalists in over 100 countries – has urged Pakistan Tehreek-i-Insaf (PTI) chairman Imran Khan to ensure that the deteriorating environment for independent press in Pakistan is reversed, and that the press is protected from the onslaught of state institutions.'

'The global network expressed concern over the "highhanded use of coercive measures to curtail the independence of the press in Pakistan"' (*Dawn*).

<https://www.dawn.com/news/1427081>