

### **Summary of UPR report on freedom of expression in Pakistan.**

During the third cycle, Pakistan supported five recommendations made under the theme D43 Freedom of opinion and expression. Additionally, Pakistan noted two recommendations on freedom of thought, conscience and religion. One recommendation noted on human rights defenders had cross cutting considerations with freedom of expression.

Despite freedom of expression being a constitutionally guaranteed right in Pakistan, the record for press freedom and safety of journalists in Pakistan presents a gloomy picture. Pakistan continues to witness incidents of physical attacks on the media persons, including murders, assaults and abductions. Journalists are also threatened for their work while other coercive methods, such as arrests without warrants are used to harass media professionals. Meanwhile, the perpetrators of such attacks enjoy almost complete impunity.

The space for civil and political discourse in Pakistan has been shrinking since 2017. During 2017-22, PPF recorded at least four targeted murder and one accidental death while on assignment, as well as 26 abductions and kidnappings; 164 instances of physical assault; 48 detentions and arrests; 80 instances of serious threats; and 43 instances of legal cases against media professionals.

On the positive side, as recommended in the 3rd cycle, Pakistan has enacted protection of journalists and media protection laws in 2021 at the federal level and in the province of Sindh. However, despite the passage of one year these laws remain ineffective because the journalist's protection commissions, which are key to monitoring investigations and prosecution of attacks on journalists, have not yet been formed.

Hate speech and targeted misinformation campaigns have emerged as a serious threat, affecting journalists' ability to freely express themselves online. Women journalists have released multiple statements condemning violent and vile organized hate campaigns targeting them on social media.

The Islamabad High Court, on multiple occasions has passed comments about intimidation of journalists through legal action, in particular the role that the Federal Investigation Agency has played.

The Islamabad High Court has also overturned attempts to further limit online freedom of expression through amendments in cybercrime law brought through a presidential ordinance.

Pakistan was the first country in South Asia that promulgated the Freedom of Information Ordinance (FOI) in 2002. In 2010, Article 19-A was inserted in the constitution of Pakistan through the 18<sup>th</sup> amendment, whereby right to information was declared a fundamental right of all citizens.

Following this much more robust right to information laws have been enacted at the federal and provincial levels. However, no RTI laws currently exist in the territories of Gilgit Baltistan and Azad Jammu and Kashmir. Moreover, the implementation of RTI laws remains weak in the Sindh and Balochistan provinces.

***Recommendations:***

1. The commissions for the protection of journalists and media professionals must be formed without delay to reduce the almost absolute impunity for crimes against journalists as required under the [Protection of Journalists and Media Professionals Bill, 2021](#) and the [Sindh Protection of Journalists and Other Media Practitioners Bill 2021](#).
2. Laws for protection of journalists and other media professionals should be enacted in the remaining three provinces as well as in the territories of Gilgit Baltistan and Azad Jammu and Kashmir without any delay.
3. In line with the orders of the Islamabad High Court, and in consideration of critique and recommendations of civil society stakeholders, the government must review the Pakistan Electronic Crimes Act 2016 (PECA) before Pakistan's General Elections in 2023, to ensure that the law does not lead to silencing of journalists, activists, and political speech.
4. Government should establish an oversight and accountability mechanism by 2023 to review the conduct of FIA and Pakistan Telecommunication Authority (PTA) to ensure that they don't abuse the power given to them under PECA.
5. Federal and provincial governments of Sindh and Balochistan must appoint and notify Public Information Officers (PIOs) in all departments without delay as required under the RTI laws.