

CRIME AND PUNISHMENT IN PAKISTAN'S JOURNALISM WORLD

ZERO JUSTICE FOR PAKISTAN'S 26 MURDERED JOURNALISTS

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IMPUNITY OF CRIMES AGAINST JOURNALISTS PAKISTAN REPORT 2018

TRACKING AND EXAMINING THE FAILURE OF THE LEGAL SYSTEM IN PROSECUTING AND PUNISHING
KILLERS OF ALL 26 JOURNALISTS MURDERED IN PAKISTAN DURING 2013-18

INTERNATIONAL DAY TO END IMPUNITY FOR CRIMES AGAINST JOURNALISTS - 2018

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International Day to End Impunity for Crimes Against Journalists - 2018

By
ADNAN REHMAT & IQBAL KHATTAK

PAKISTAN'S IMPUNITY SCORECARD for 2013-18

Journalists murdered during 2013-18 period: **26**

Police First Information Reports [FIRs] registered: **25** (96%)

Police challan [charge-sheet] filed in courts: **16** (60%)

Cases declared fit for trial by Prosecution: **15** (58%)

Prosecution and trial completed in cases: **6** (23%)

Killers convicted: **1** (3.5%)

Killers convicted AND punished: **0** (0%)

JUSTICE for murdered journalists: **0** (0%)



Ayub Khattak



Bakshish Elahi



Abrar Tanoli



Aftab Alam



Muhammad Jan Sumalani



Abdul Razzaq Baloch



Shan Dahar



Taimoor Abbasi



Jewan Araen



Zafarullah Jatak



Zaman Mehsud



Irshad Mastoi



Zeeshan Ashraf Butt



Yaqoob Shahzad



Mian Abdul Razzaq



Malik Mumtaz



Abdul Rasool



Mehmood Afridi



Nadeem Haider



Bilal Sehar



Khalid Mehmood



Shahzad Iqbal



Anjum Muneeb



Bakhtaj Ali Yousafzai



Muhammad Umar



Hafeez ur Rehman

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EXECUTIVE SUMMARY –

KEY FINDINGS AND RECOMMENDATIONS

Pakistan has consistently been ranked for several years as one of the most dangerous countries on the planet to practice journalism by international media watchdogs like Reporters Without Borders (RSF), Committee to Protect Journalists (CPJ), International Press Institute (IPI) and International Federation of Journalists (IFJ) and national watchdogs like the Human Rights Commission of Pakistan (HRCP) and Freedom Network (FN). **Over 120 journalists and media assistants have been killed in Pakistan since 2000 and 26 in the five years between 2013-18**, according to Freedom Network, an award-winning Pakistani media rights watchdog and civil liberties advocacy organization, which tracks attacks against journalists and other violations of freedom of expression.

While the risky environment for journalists in Pakistan and the nature of attacks against them is well documented, there is little information available about whether the victims and families of these journalists murdered for their work have received any justice. And if not – indeed none of the 26 killed during 2013-18 have, according to this report – **why is the legal system in Pakistan failing these journalists, why is the level of impunity enjoyed by their killers so high and who is to blame for failing to act on threats reported by the journalists before they were murdered?** This research and analysis report produced by Freedom Network is the first in Pakistan that seeks precise answers to these questions.

The answers and findings that this report showcases are startling, even shocking, and are derived analytically from an extensive exercise to collect data and information, based on a detailed **Impunity Index** developed by Freedom Network, from the families of the journalists killed, as well as from their colleagues where they worked and their local press clubs and unions of journalists, making this the **largest and most extensive exercise of its kind undertaken in Pakistan on the subject**. The data and information collected was for the period 2013-18. Why this period? There are two reasons – first is that Pakistan endorsed the UN Plan of Action on the Safety Journalists and

Issue of Impunity, of which Pakistan was one of five pilot countries for its early implementation, in 2013, one year after it was launched so it made good sense to track Pakistan's commitment to combat impunity of crimes against journalists from this commitment onwards. The second is that a five-year period also served as a reasonable timeframe to evaluate the due process of law and justice – from the registration of a murder case with the police to its complete investigation, its presentation before a court of law and a possible full prosecution, trial and conclusion.

The **key questions** of this research on impunity of crimes against journalists in Pakistan included the following:

CRIME: Threats and Threat Response

- Which actors threaten journalists in Pakistan?
- Which regions are the most dangerous to practice journalism?
- Are the threats tracked and reported by journalists?
- Are the media employers, press clubs, unions of journalists and state authorities informed of threats journalists face before they are murdered?

PUNISHMENT: Investigation and Trial

- Who takes responsibility of reporting murders of journalists to the police?
- How efficient is the police in completing investigations of the murders?
- How many cases of murdered journalists land in courts and declared fit for trial?
- In how many cases is the prosecution completed and the trial concludes?
- How many killers of journalists have been convicted and punished?

KEY FINDINGS

The key findings of this research on impunity of crimes against journalists in Pakistan based on the above questions for the period 2013-18 include the following:

1. **Most dangerous medium and province:** Newspaper journalists (18 killed) are three times most vulnerable than TV journalists (8 killed). Punjab is the most dangerous province in Pakistan to practice journalism

(8 killed) followed by KP (7 killed). Print journalists are at most risk of being murdered if they are based in Punjab (6 killed) and KP (6 killed) and TV journalists if they are based in Sindh (4 killed) and Punjab (2 killed).

2. **Worst enemies of journalists:** Most murderers of journalists remain faceless and unidentified. The threat sources are identified/suspected by the victims and their families in only one in every three cases of journalists murdered and worryingly include state actors, political parties and religious groups.
3. **Deadly inaction:** In two-thirds of cases, the media organizations were pre-informed by journalists who worked for them of threats they were facing before being murdered. In two-thirds of cases, the press clubs were pre-informed by journalists who were their members of threats they were facing before being murdered. In one-fourth of cases, the unions of journalists were pre-informed by journalists who were their members of threats they were facing before being murdered. In three-fourth cases, the local state authorities were pre-informed by journalists of threats they were facing before being murdered. Despite this avalanche of early warning and threat reporting, none of these stakeholders managed to prevent their murders. These were all preventable deaths.
4. **Dead on whose behalf? Risk ownership:** The media organizations or the employers of journalists in Pakistan never become the first party to the case of their full-time, part-time or assignment-based workers who get murdered assuming risks for their journalism work on behalf of media. Not a single case of the 26 journalists murdered was filed with the police by their employers. All cases were filed by the families of victims making these 'private cases' not 'official'.
5. **Incomplete investigation – police failures:** In 60% of the cases the police fail to complete the investigations into the murder of a journalist to generate a final challan – or a full investigation report – to submit before a court for trial. Of the 26 journalists murdered, the cases of only 16 reached the court. One in three journalists murdered in Pakistan for their journalism work are this pre-guaranteed to NOT get justice because their case never goes to a court for trial because of the failure

the police. The performance of police in investigation of murder of journalists and producing a final challan is the worst in KP province where only one in six cases reached this stage. In Punjab the police failed to produce a final challan in one-third of the cases and in Balochistan and Sindh in one in every five cases.

6. **Incomplete trial – court failures:** Barely a third of the cases of murdered journalists in Pakistan are declared fit for trial in a court of law and completes prosecution in the court. The process of justice for two of every three journalists murdered in Pakistan whose case even reaches the court does not even conclude. Courts in Balochistan and Punjab are the slowest in completing trials of cases of journalists declared fit for prosecution.
7. **Zero punishment – justice failures:** The level of impunity enjoyed by killers of journalists in Pakistan is near-complete. The killer of only one of the 26 journalists murdered in the period 2013-18 was convicted (3.5%). The only case of conviction of an accused killer was at the district court level in KP after which he filed an appeal for acquittal in the high court at which stage the family of the victim withdrew from the case due to a lack resources, essentially providing reprieve to the convicted, leaving the victim without real justice.

RECOMMENDATIONS to combat impunity of crimes against journalists

Based on the key findings and the causes behind them, the following measures are recommended for urgent implementation to effectively combat impunity of crimes against journalists in Pakistan:

1. **Urgent enactment of special federal and provincial laws for safety of journalists** – since the threats and attacks against journalists are occurring across Pakistan and since law and order is a provincial subject, there need to be separate laws for separate territorial regions in the country. There is a better chance of success of implementation and local ownership if these laws are local – as in the case of provincial right to information laws. The laws, however, need to be drafted in consultation with key representative stakeholders, especially platforms that represent working journalists since they are the principal target of the

attacks on journalism and freedom of expression. Draft model laws on which a lot of consultations have already taken place in recent years, including within Parliament, need to be adopted after consensus.

2. **Federal and provincial prosecutors on safety of journalists** – dozens of serious attacks that injure and traumatize, and even kill, journalists take place in all territories of Pakistan every year. Treating these cases in the justice system as ordinary cases ensure they become victims of the relatively poor criminal justice system beset with delays, poor investigation and ineffective prosecution. Fully budgeted and adequately staffed separate offices of Special Prosecutor on Safety of Journalists should be established by the federal and provincial provinces governments mandated with proactive registration and prosecution of cases of attacks against journalists and other media assistants in their respective regional jurisdictions. They should also be mandated to investigate the cases of the over 120 journalists and media assistants killed since 2000 in their respective regional jurisdictions. This will only fast-track the process of justice for attacked journalists but also vastly improve the institutional capacity of Pakistan to combat impunity of crimes against journalists.
3. **Making safety of journalists a mission** – the charters and constitutions of none of the representative associations of media stakeholders such as Pakistan Federal Union of Journalists (PFUJ), Council of Pakistan Newspaper Editors (CPNE), All Pakistan Newspaper Society (APNS), Pakistan Broadcasters Association (PBA), Pakistan Electronic Media Regulatory Authority (PEMRA) and Press Council of Pakistan (PCP) has the word 'safety' or the phrase 'safety of journalists' in them. Commitments to 'safety of journalists' need to be incorporated in them to create a missionary consensus on it.
4. **Safety policies, protocols and audits** – the journalism organizations in Pakistan, including newspapers, TV channels, radio stations and internet-based media, need to urgently develop and enforce written in-house safety policies aimed at pre-empting and preventing risks and threats to their journalists and other staff. Media regulators must amend their policies and regulations to require their licensees to conduct annual safety audits to ensure safety policies and protocols are in place and being enforced.

BACKGROUND –

HIGH LEVELS OF IMPUNITY OF CRIMES AGAINST JOURNALISTS

PAKISTAN'S EXPANDING MEDIA LANDSCAPE

The media landscape in Pakistan has expanded exponentially in recent years after the broadcast sector was opened up for private ownership in 2002. This resulted in the number of independent TV channels increasing from zero to nearly 100 in 2018, including about half current-affairs 24/7 news channels in multiple languages, and independent radio stations from zero to over 170 now, according to the *Pakistan Electronic Media Regulatory Authority (PEMRA)*. The media industry has grown to a size of about 250,000 people associated with it, including more than 20,000 journalists, according to the *Pakistan Federal Union of Journalists (PFUJ)*. The internet space has also grown in this interim, reaching to more than 60 million users in 2018, including more than 40 million social media practitioners, according to *We Are Social*.

THREATENED JOURNALISTS AND OTHER INFORMATION PRACTITIONERS

The expanding information footprint in Pakistan, however, has been affected deeply by the country's experience of terrorism, extremism and violence in this period, as well as the transition from military to democratic rule and the struggle for the consolidation of political reforms and gains. The coverage of these developments has ended up making Pakistan one of the most dangerous places on the planet to practice journalism. Over 120 journalists and media workers have been killed and over 2,000 assaulted, injured, kidnapped, arrested and intimidated since 2000, according to *Freedom Network*. In recent years, dozens of online information practitioners, rights defenders and citizen journalists have also found themselves targeted by both state and non-state actors and a climate of coercive censorship has also been discernibly grown.

JOURNALISTS MURDERED IN THE LAST FIVE YEARS (2013-18) AND IMPUNITY OF CRIMES AGAINST THEM

At least 26 journalists have been murdered for their journalism work in Pakistan in the period 2013-18, according to tracking and verification done by *Freedom Network*. In 2012 the United Nations launched the *UN Plan of Action on the Safety Journalists and Issue of Impunity* aimed at supporting a free and safe environment for journalists worldwide, especially in conflict region. In view of the high casualty rate of journalists, Pakistan was one of the pilot countries for its implementation. Pakistan endorsed the plan in 2013. However, five years after this endorsement, the state has failed to not only prevent the high levels of risks and threats faced by journalists that have ended by in the murders of 26 journalists in the country during 2013-18 but also failed in reducing the high levels of impunity enjoyed by their killers by finding, apprehending, prosecuting, convicting and punishing them. The killers of not a single of the 26 journalists murdered in this period for their journalism work have been punished.

This research report examined data and information collected through a team of field researchers on the cases of all 26 journalists killed across Pakistan in the period 2013-18 based on a special **Impunity Index** developed by *Freedom Network* centered on the Pakistani justice system as well as its regular tracking and analysis of attacks against journalists and media houses. This report was made possible with the assistance of **International Media Support (IMS)**, a Europe-based international media development organization, that seeks to improve media professionalisms and quality of journalism worldwide, and the **Norwegian Government**. They, however, do not necessarily endorse the findings of the report, which are the sole responsibility of *Freedom Network*.

October 2018
Islamabad

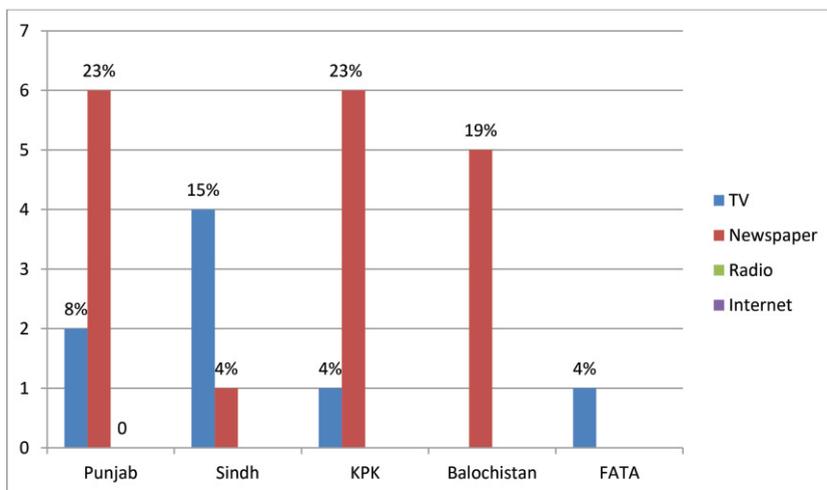
PART 1 – THREAT MATRIX OF JOURNALISTS IN PAKISTAN

Which actors threaten journalists in Pakistan? Which regions are the most dangerous to practice journalism? Are the threats tracked and reported by journalists? Are the media employers, press clubs, unions of journalists and state authorities aware of risks journalists face?

TYPES OF MEDIA –

The most dangerous media to work for in Pakistan

Data – Types of media and fatalities



ANALYSIS

Of the 26 journalists murdered for their work in the five-year period between 2013-18 in Pakistan, at least 18 worked for print media – all newspapers – while eight worked for TV channels. No journalist from amongst the 26 murdered worked for either radio or any internet-based media.

Of the 18 murdered journalists working for print media, six each were based in Punjab and Khyber Pakhtunkhwa (KP), five in Balochistan and one in Sindh. In this period, no journalists primarily working for print media were murdered in the erstwhile Federally Administered Tribal Areas (FATA) before it was merged into KP in mid-2018. Of the eight murdered journalists working for TV channels, four were based in Sindh, two in Punjab and one each in KP and FATA.

Key findings

- Newspaper journalists in Pakistan are the most vulnerable among those working for various media. They are 70% more at risk of murder than compared to journalists working for TV, radio and internet-based media.
- TV journalists in Pakistan are at second highest risk of attacks – 30% - in terms of overall number of journalists murdered – eight compared to none for radio and internet-based media.
- Print journalists are at most risk of being murdered if they are based in KP, Punjab and Balochistan as 17 out of 26 journalists – 65% of print journalists murdered in 2013-18 were in these three provinces.
- TV journalists are at most risk of being murdered if they are based in Sindh and Punjab as six out of eight journalists – 75% of TV journalists murdered in 2013-18 were in these two provinces.

PLACES OF MURDER –

The most dangerous regions to practice journalism in Pakistan

Data – Province-wise fatalities



ANALYSIS

Of the 26 journalists murdered for their work in the five-year period between 2013-18 in Pakistan, eight (30%) were target-killed in Punjab and seven (26%) in KP. At least five each were murdered in Sindh and Balochistan (20% each) and one in erstwhile FATA region (4%).

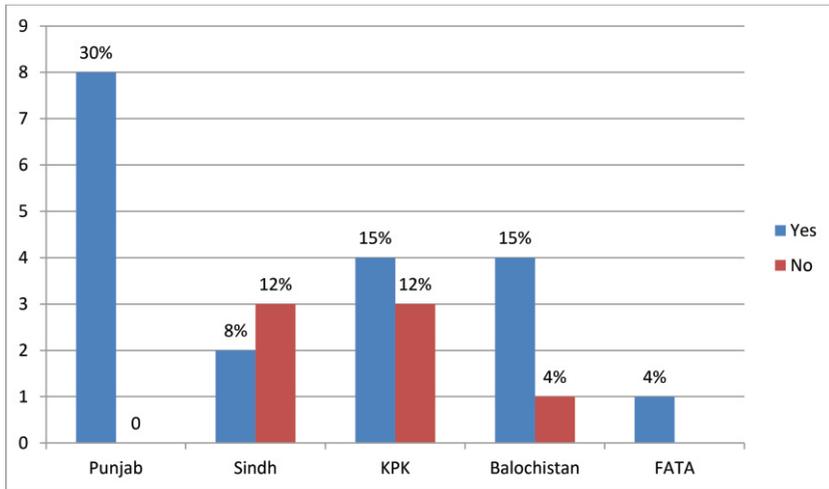
Key findings

- Punjab is the most dangerous province in Pakistan to practice journalism with eight journalists murdered followed in a close second position by KP with seven journalists murdered.
- Balochistan and Sindh are also high-fatality regions for journalists with five journalists murdered each in both provinces.
- Erstwhile FATA region is comparatively least dangerous region in terms of fatalities of journalists with one journalist murdered.

VICTIMS CLUB –

Most journalists murdered in Pakistan are members of press clubs

Data – Murdered journalists who were members of press clubs



ANALYSIS

Of the 26 journalists murdered for their journalism work in the five-year period between 2013-18 in Pakistan, 19 – or 73% – were members of their local press clubs in all the four provinces of Pakistan as well as the erstwhile FATA region. Seven members – or 25% - were not members of any press club.

All eight journalists (100%) target-killed in Punjab in the period under review were members of press clubs, four of the seven (57%) journalists murdered in KP, four of the five (80%) journalists murdered in Balochistan, two of the five murdered in Sindh (40%) and the lone journalist (100%) murdered in erstwhile FATA region were members of press clubs.

Key findings

- Whether they are members of press clubs or not, journalists across Pakistan are equally vulnerable to the risk of being murdered but three

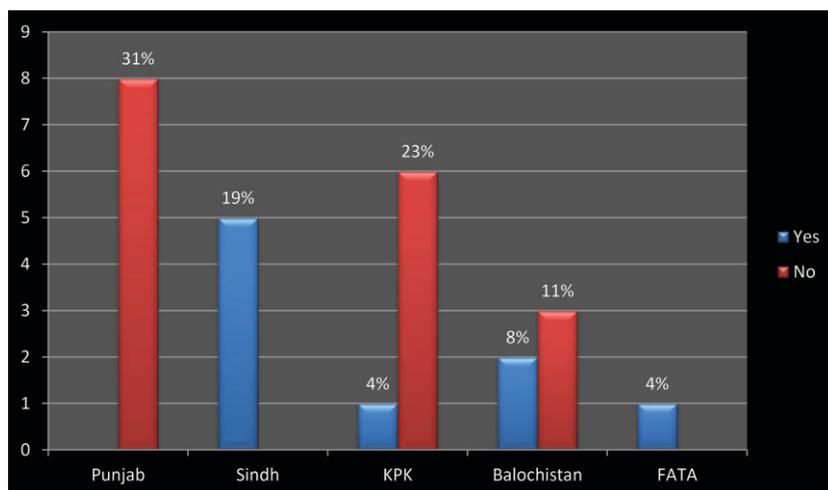
out of every four journalists target murdered in Pakistan are members of press clubs while one is not.

- Sindh and KP are the most dangerous regions of Pakistan for journalists who are not members of any press club.
- Many press clubs across all regions are failing to keep their members safe from deadly attacks. erms of fatalities of journalists with one journalist murdered.

VICTIMS UNIONS –

Most journalists murdered in Pakistan are not members of unions of journalists

Data – Murdered journalists who were members of a union of journalists



Analysis

Of the 26 journalists murdered for their journalism work in the five-year period between 2013-18 in Pakistan, 17 – or 65% – were NOT members of any union of journalists in all the four provinces of Pakistan. Only nine of the 26 journalists murdered – or 35% – were members of any journalists' union.

None of the eight journalists (100%) target-killed in Punjab in the period under review were members of any union of journalist, six of the seven

(85%) journalists murdered in KP and three of the five (60%) journalists murdered in Balochistan were not members of any union of journalists. All five (100%) journalists murdered in Sindh, the lone journalist (100%) murdered in erstwhile FATA and one of seven (15%) journalists murdered in KP were members of a union of journalists.

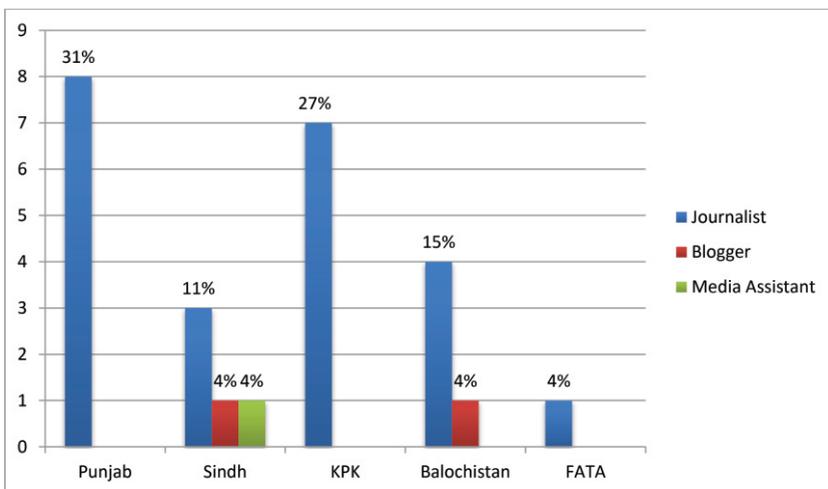
Key findings

- Whether they are members of a union of journalists or not, journalists across Pakistan are equally vulnerable to the risk of being murdered but two out of three journalists murdered are not members of a union.
- Journalists are twice as likely to get murdered in Pakistan if they are not members of a journalists' union.
- Punjab is the most dangerous region in Pakistan for a journalist if they are not members of a union of journalist while KP and Balochistan are also high-risk regions for non-members.

TYPES OF MEDIA VICTIMS –

The deadliest jobs for journalists in Pakistan

Data – The most frequent types of victims in media



Analysis

Of the 26 media practitioners murdered for their work in the five-year period between 2013-18 in Pakistan, 23 – or a whopping 89% – were principal journalists (including reporters, sub-editors, photographers) in all the four provinces of Pakistan as well as the erstwhile FATA region. Only three of the 26 murdered – or 11% – were secondary journalists including media assistants (camerapersons, technicians, etc.) and bloggers.

Of the 23 murdered journalists, at least 17 were reporters, three were correspondents two were sub-editors and one was a photographer. The remaining three included a cameraman and two technicians. Of the 23 journalists murdered, 15 (or 65%) were target-killed in Punjab and Balochistan while eight (or 35%) were in Balochistan, Sindh and erstwhile FATA. Of the three non-journalist media practitioners murdered, two became victims in Sindh and one in Balochistan.

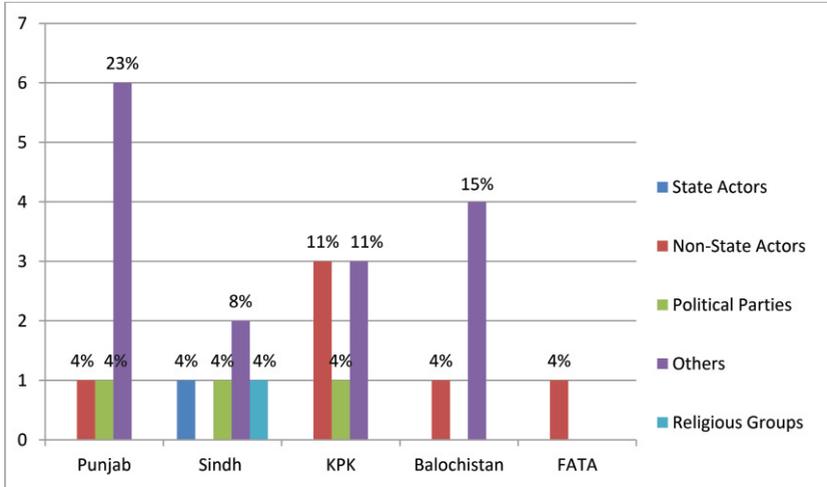
Key findings

- Journalists are the largest victim group among media practitioners in Pakistan with four out of five media practitioners targeted for murder being journalists.
- Reporters are the most frequent target from amongst the sub-groups of journalists with four out of every five journalists murdered being reporters.
- Punjab, KP and Balochistan are the most dangerous regions in Pakistan in terms of journalists, especially reporters, targeted for deadly attacks.

THREAT ACTORS –

The worst enemies of journalists in Pakistan

Data: Threat actors that target journalists



Analysis

Mysterious, nameless and unidentified actors ('others' in the graph above) constitute the biggest threat to journalists in Pakistan during 2013-18 with 15 of the 26 journalists (58%) murdered in this period being targeted by them. The second biggest threat source to the lives of journalists are non-state actors – outlawed terror and militant groups, including transnational actors – who murdered journalists. Other threat sources include political parties who murdered three journalists (12%) and religious groups and state authorities who murdered one journalist each (4% each).

Key findings

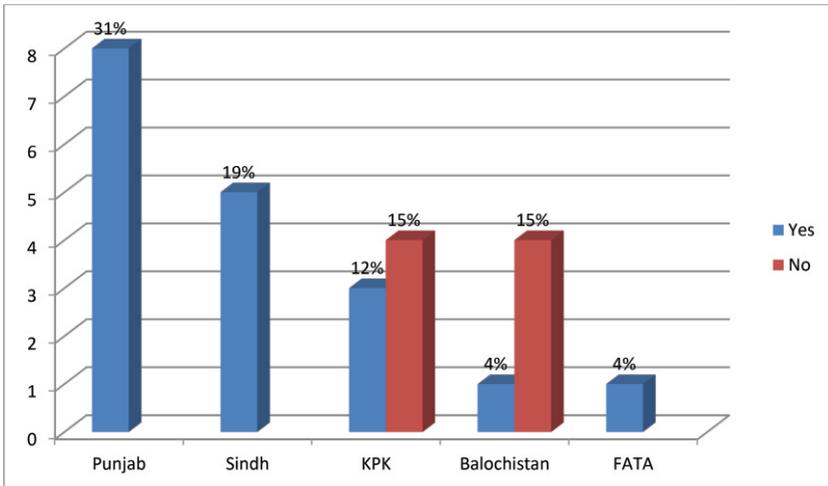
- Most murderous attacks against journalists in Pakistan come from threat sources that may be familiar to media practitioners while they are alive but remain mostly unidentified to their media organizations, families and the state after the target killings.
- The threat sources are identified in only one in every three cases of

journalists murdered and worryingly include state actors, political parties and religious groups.

- Sindh is the worst region in Pakistan in terms of the variety of sources posing threats to the lives of journalists – which include state authorities, political parties, religious groups, feudals, criminals and mafias. KP and Punjab are also regions where there are multiple threat sources targeting journalists for their work.

THREAT KNOWLEDGE – Pre-informing the media employer

Data: Did the victims inform their media organizations of threats to them?



Analysis

Most threats against journalists do not materialize instantly. According to the colleagues and family members of media practitioners fatally targeted, of the 26 journalists murdered in the line of duty, a big majority – 18, or 70% – informed their media organizations or employers of the serious threats they were facing. Eight journalists apparently did not inform their media organization about any threats they were facing before they were murdered.

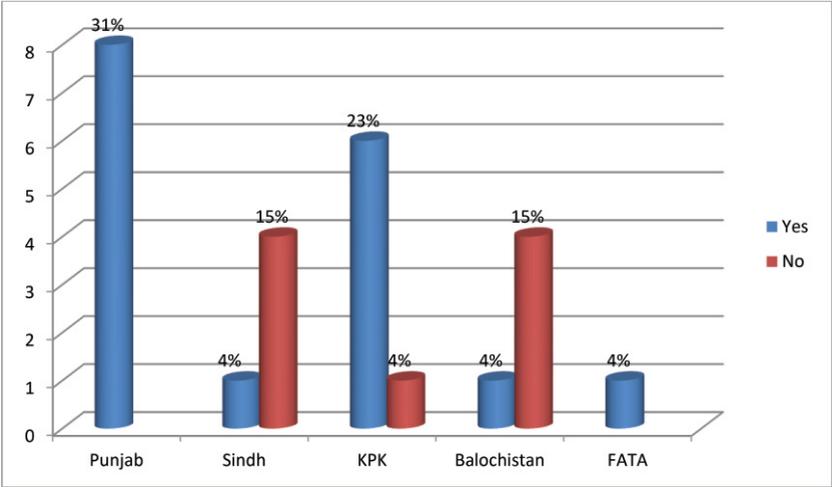
All the eight journalists murdered in Punjab pre-informed their employers about threats they were facing as did all the five journalists murdered in Sindh and three of the seven journalists murdered in KP, only one of the five journalists murdered in Balochistan and the lone journalist murdered in erstwhile FATA.

Key findings

- The media organizations for whom most of the journalists murdered were pre-informed of the threats they were facing. Two of every three journalists murdered did so; one of three failed to.
- All 14 journalists murdered in Punjab, Sindh and erstwhile FATA alerted their employers to the threats they were facing before being murdered while only four of 12 – 33% or one in three – did not alert their media organization before being murdered.
- Despite reportedly being pre-informed of the threats they faced, none of any possible action taken by the organizations could adequately safeguard the journalists murdered.

THREAT KNOWLEDGE – Pre-informing the press club

Data: Did the victims inform their local press club of threats to them?



Analysis

According to the colleagues and family members of media practitioners fatally targeted, of the 26 journalists murdered in the line of duty in the period under reviewed, a big majority – 17, or 65% – informed their local press club of the serious threats they were facing before their murder. Seven journalists apparently did not inform their local press club about any threats they were facing before they were murdered.

All the eight journalists murdered in Punjab and seven of eight in KP pre-informed their press clubs about threats they were facing as did only one each of five journalists each murdered in Balochistan and Sindh and the lone journalist murdered in erstwhile FATA.

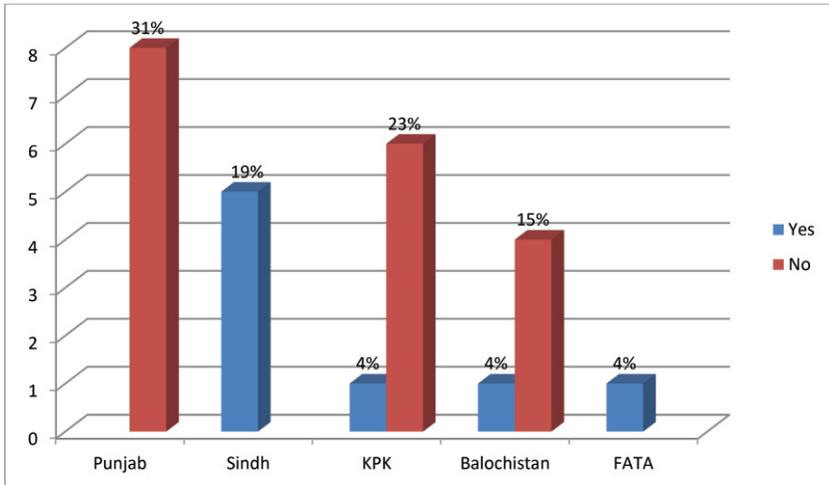
Key findings

- The press clubs were pre-informed of the threats they faced by almost all the journalists murdered in Punjab, KP and erstwhile FATA – 15 of 16, or 93% journalists murdered.
- Almost all journalists murdered Balochistan and Sindh (eight of 10, or 80%) apparently failed to inform the local press club of the threats they were facing before being murdered.
- Despite reportedly being pre-informed of the threats they faced, none of any possible action taken by the press clubs could adequately safeguard the journalists murdered.

THREAT KNOWLEDGE –

Pre-informing the press club

Data: Did the victims inform their local press club of threats to them?



Analysis

According to the colleagues and family members of media practitioners fatally targeted, of the 26 journalists murdered in the line of duty, a big majority – 18, or 70% – did NOT inform any union of journalists of the serious threats they were facing. Only eight journalists apparently informed their union of journalists about any threats they were facing before they were murdered.

All the eight journalists murdered in Punjab, six of seven in KP and four of five in Balochistan failed to inform their union of journalists about threats they were facing while all five murdered in Sindh informed their union of threats they were facing as did the lone journalist murdered in erstwhile FATA.

Key findings

- The unions of journalists in all four provinces were not informed by a

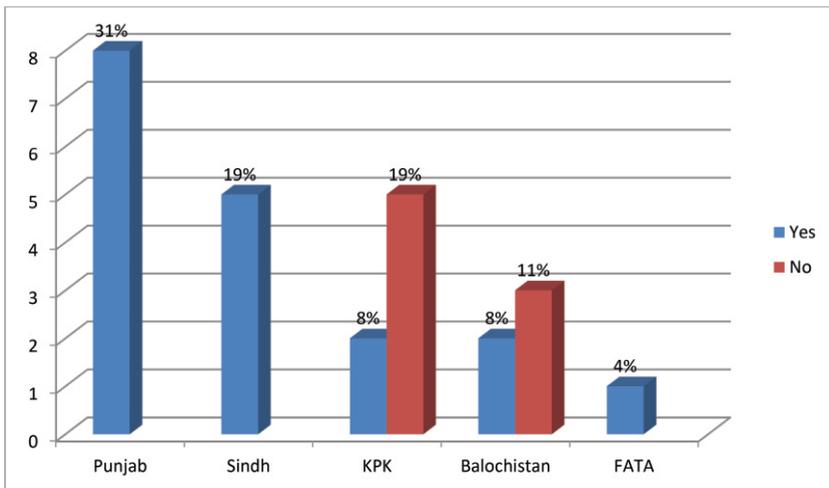
big majority – three in every four – of the journalists murdered about the threats they were facing before being murdered.

- Almost all journalists murdered Punjab, KP and Balochistan (18 of 20, or 90%) apparently failed to inform the local chapter of their union of journalists of the threats they were facing before being murdered.
- Most unions apparently could not safeguard journalists under threat because they did not pre-inform them but could not help those who informed them either.

THREAT KNOWLEDGE –

Pre-informing the state authorities

Data: Did the victims inform their local state authorities of threats to them?



Analysis

Most threats against journalists don't materialize instantly. According to the colleagues and family members of media practitioners fatally targeted, of the 26 journalists murdered in the line of duty, a big majority – 18, or 70% – informed the local state authorities of the serious threats they were facing. Eight journalists apparently did not inform the state authorities about any threats they were facing before they were murdered.

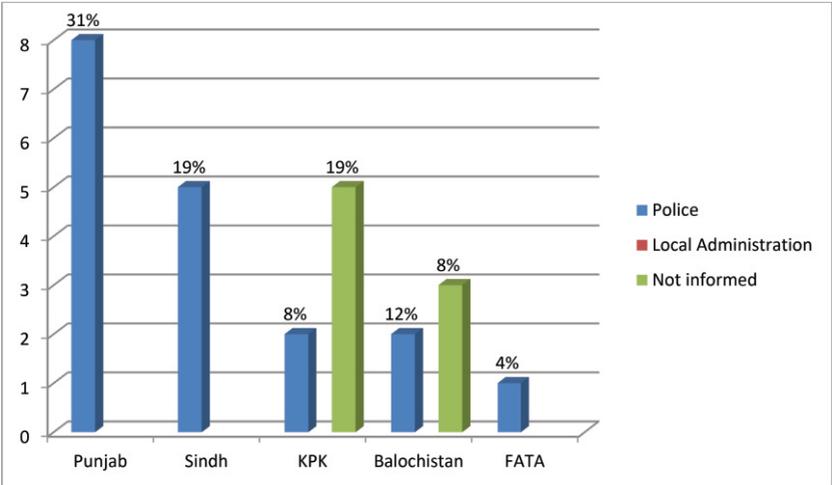
All the eight journalists murdered in Punjab pre-informed the local state authorities about threats they were facing as did all the five journalists murdered in Sindh and two of the seven journalists murdered in KP, two of the five journalists murdered in Balochistan and the lone journalist murdered in erstwhile FATA.

Key findings

- The local state authorities where most of the journalists murdered were pre-informed of the threats they were facing. Three of every four journalists murdered did so; only one in four failed to do so.
- All 14 journalists murdered in Punjab, Sindh & erstwhile FATA alerted local state authorities to threats they were facing before being murdered while eight of 12 – 66% or two in three – did not alert their local state authorities in KP and Balochistan before being murdered.
- Despite reportedly being pre-informed of the threats they faced by a big majority of the journalists murdered, none of the state authorities in any province could adequately safeguard the journalists murdered.

STATE KNOWLEDGE – Reporting threats to the government

Data: Who did the victims inform within the government of threats to them?



Analysis

According to the colleagues and family members of media practitioners fatally targeted, of the 26 journalists murdered in the line of duty, a big majority – 18, or 70% – of the journalists informed the local state authorities of the serious threats they were facing. Eight journalists apparently did not inform the state authorities about any threats they were facing before they were murdered.

Of the 18 journalists who informed the local police of the threats they were facing, all eight journalists in Punjab did so before being murdered while all five journalists in Sindh did so before being murdered. Of the seven journalists murdered in KP, only two informed the police before being murdered while five did not, before their murders. Of the five journalists murdered in Balochistan, two informed the police before their murders and three did not. The lone journalist murdered in FATA also informed the police of the threats he was facing before he was murdered.

Key findings

- Of the 18 journalists who informed the state authorities of threats they were facing before being murdered all informed the local police.
- All journalists murdered in Punjab, Sindh and erstwhile FATA informed the police about threats they were facing but most of those murdered in KP and Balochistan did not.
- The local police was the preferred local authority the journalists informed of the threats they were facing while none of them informed any other local authorities such as the district administration or any elected local government official.
- Despite reportedly being pre-informed of the threats they faced by a big majority of the journalists murdered, no police in the four provinces or erstwhile FATA managed to provide adequate security to or prevent the murders of these journalists.



PART 2 –

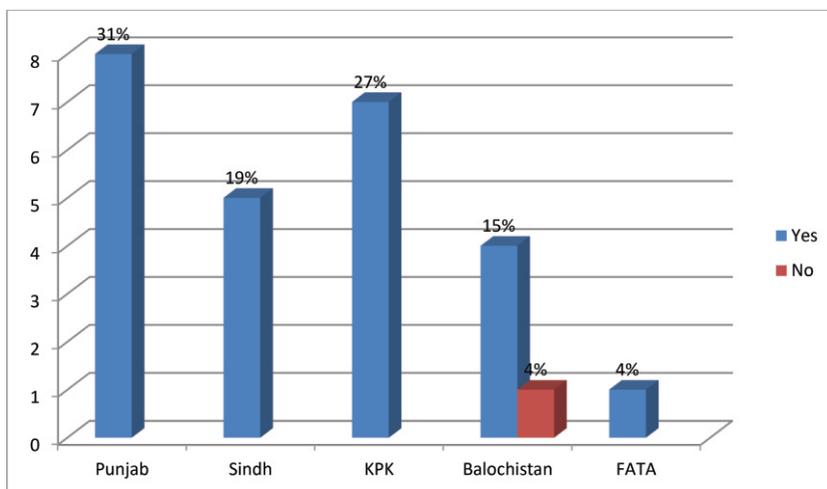
TRACKING FAILURES OF PAKISTAN'S JUSTICE SYSTEM FOR JOURNALISTS

How effective is the legal process in Pakistan in effectively investigating cases of target killing of journalists, producing cases that are fit for trial, completing prosecution in murder cases and convicting the attackers – and providing justice to the victims and their families?

REPORTING THREATS –

Preliminary contact with the state

Data: Was police informed about the murder of journalist before formal registration of FIR?



Analysis

According to the colleagues and family members of media practitioners fatally targeted, of the 26 journalists murdered in the line of duty, almost all – 25, or 96% – the local police was immediately informed about their target killing.

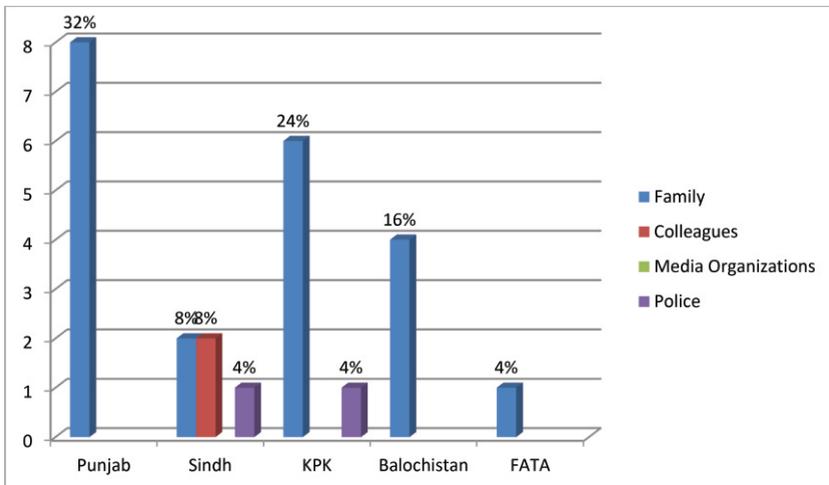
Key findings

- The families of all the journalists target-murdered immediately informed the police about the attack in the pre-FIR stage. This means the family contacted the state apparatus for quick preliminary outreach but took some time collecting the facts of the attack themselves before formally approaching the police for registration of FIR. This also indicates they were shocked by the attack and were not sure about the specifics of the attackers in which case they would have approached the police for a straight, immediate FIR.
- In one case, in Balochistan, the heirs of the deceased, murdered by a banned militant group, decided against registering a FIR and pursuing a case against the killers.

REPORTING THREATS –

Becoming party to the case

Data: Who first reported the murder of the journalists to the police?



Analysis

According to the colleagues and family members of media practitioners fatally targeted, the first respondent to the murder of the journalist in the process to invoke the legal justice system in a big majority of the cases – 21 of 26, or 80%, was the family of the deceased. In two cases (8%) the colleagues of the deceased contacted the police first and in another two cases the police itself initiated the process. In not a single case the media organization or the employer became a first responder in the case.

Only in Sindh non-family members, including two cases in which colleagues became first responders and one case in which the police assumed this role, and became a party to the case while in KP in one case the police assumed this role.

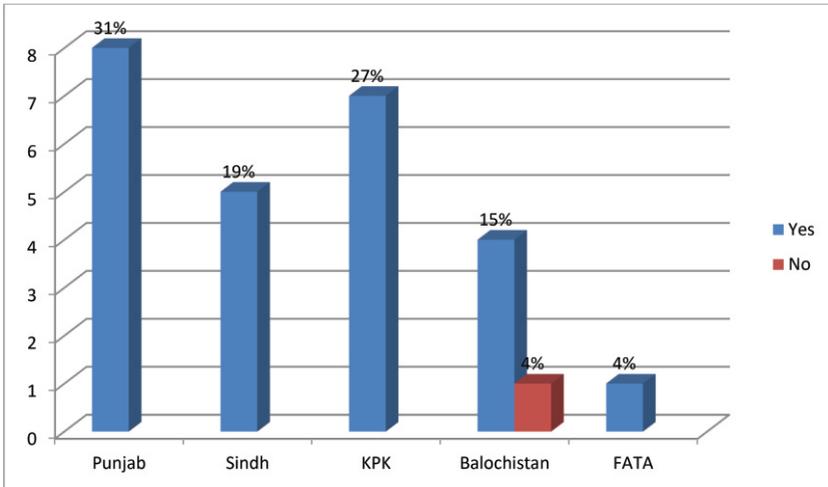
Key findings

- The media organizations or the employers of journalists in Pakistan never become the first party to the case of their full-time, part-time or assignment-based workers who get murdered assuming risks for their journalism work on their behalf.
- In almost all cases of journalists murdered, the process of invoking the law and justice system is left to their families to pursue and undertake, making the matter of seeking justice a private family affair instead of making the employers, on whose behalf the journalists assume risks, a party to the process.
- The state almost never becomes a party to the case of journalists murdered.

INVOKING THE LAW –

Registration of FIR

Data: Was a FIR of the case formally registered with the police?



Analysis

According to the family members of journalists murdered, an FIR was formally registered with the police in the case of 25 of the 26 victims.

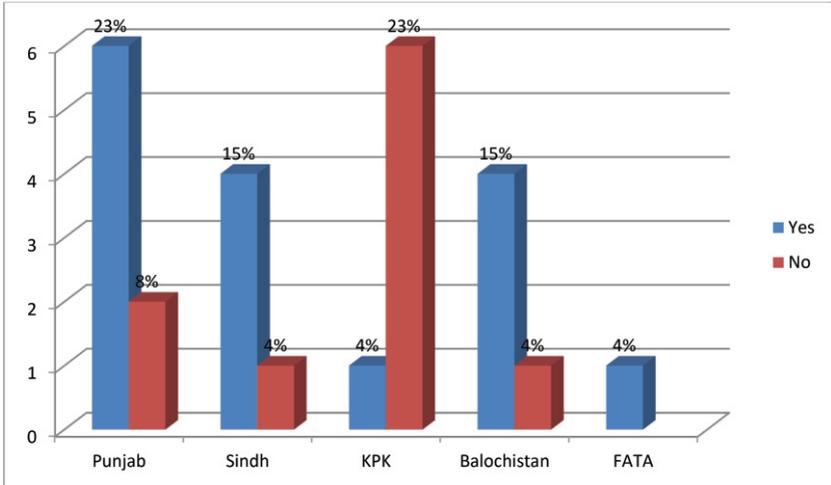
Key findings

- The very first stage of invoking the legal process to seek justice was completed in 96% of the cases indicating that in almost all the cases the state became responsible to investigate the murder of journalists and find the attackers.

INVOKING THE JUSTICE SYSTEM –

Reaching the judiciary

Data: Was a final challan (police investigation report) submitted to the court?



Analysis

According to the family members of journalists murdered, of the 26 journalists murdered, the police managed to investigate the case sufficiently enough to make the case file move to a court in only 16 cases – or just about 60%. In 10 cases, or about 40% – the police failed to generate a final challan – or a full investigation report – to submit before a court for trial.

In Punjab, the police completed the challan in six of its eight cases (75%), in Balochistan and Sindh in four of five cases each (80% each), in erstwhile FATA in the lone case and only one of the seven cases in KP.

Key findings

- The state shockingly fails in its responsibility to pursue justice for the murdered journalists and their families in the early stages of the legal process by the failure of the police in completing a proper preliminary investigation without the case cannot go to a court for trial.
- One in three journalists murdered in Pakistan for their journalism work

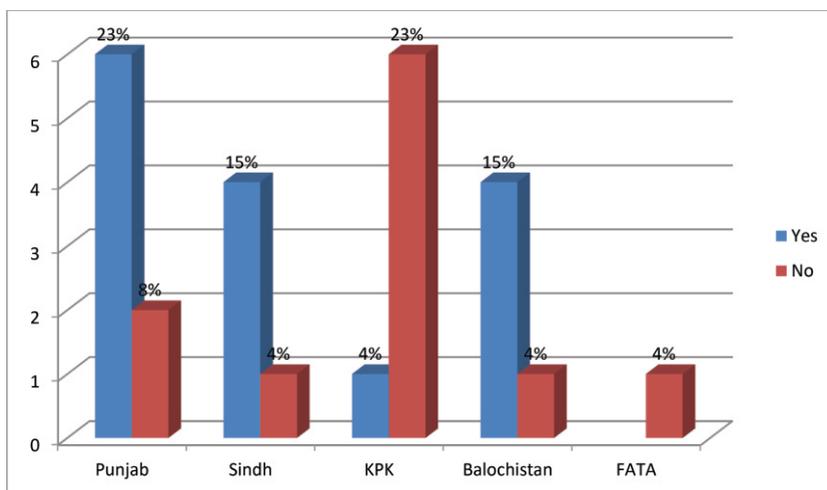
are guaranteed to NOT get justice because their case never goes to a court for trial because of the failure the police.

- The performance of police in investigation of murder of journalists and producing a final challan is the worst in KP province where only one in six cases (84%) have reached this stage. In Punjab the police failed to produce a final challan in one-third of the cases and in Balochistan and Sindh in one in every five cases.

INVOKING THE JUSTICE SYSTEM –

Case fit enough for trial

Data: Did the prosecutor declare the murder case of the journalist fit for trial?



Analysis

Of the 26 journalists murdered in Pakistan during the period 2013-18, the police investigation reports (final challans) of only 15 journalists – 58% – placed before a court were declared fit for trial – or further prosecution. The murder cases of 11 journalists – 42% – never reached this stage.

In Punjab, the cases of six of eight (75%) journalists were declared fit for trial by the court and four of five each (80% each) in both Balochistan and Sindh. In six of seven cases in KP and the lone case in erstwhile FATA never reached this stage.

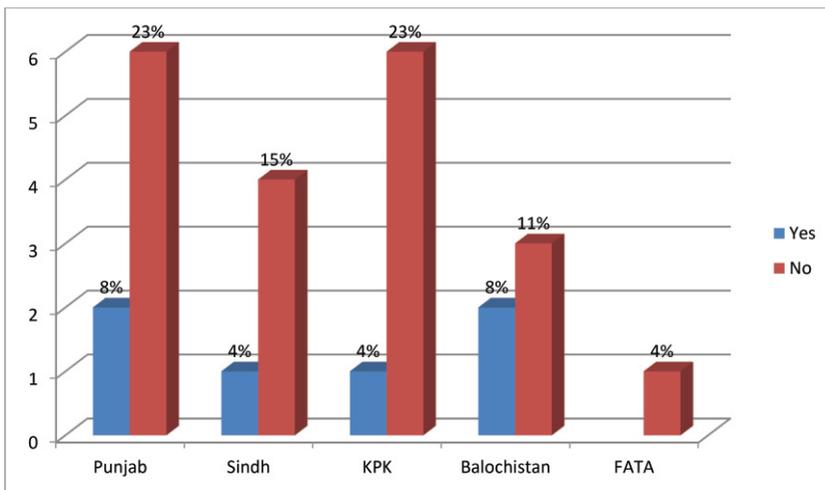
Key findings

- Only two-thirds of the murder cases of journalists investigated by the police reached the court and were declared fit for trial which indicates that for one in three murdered journalists the race for justice ends at this early stage.
- The path to justice for almost all journalists murdered in KP is likely to never enter a trial stage making the incidence of impunity the highest in this province in Pakistan. The chances for trial are better in Balochistan, Sindh and Punjab but not fully guaranteed.

INVOKING THE JUSTICE SYSTEM –

Completing the trial

Data: Was the trial completed in the court?



Analysis

Of the 26 journalists murdered in Pakistan during the period 2013-18, the cases of only 15 – 58% – were declared fit for trial in a court. Of these 15 cases that underwent prosecution, only six – 23% of all murder cases and 40% of those declared fit for trial – reached the completion stage. A majority, nine of the 15 cases (60%), declared fit for trial have never reached the completion stage to allow for a verdict to be reached.

Of the six cases in Punjab declared fit for trial only two (33%) completed prosecution. Of the four cases declared fit for trial in Balochistan only two (50%) reached the completion stage. Of the four cases declared fit for trial in Sindh, only one (25%) reached the completion stage. In KP, the only of the seven cases declared fit for trial, reached the completion stage.

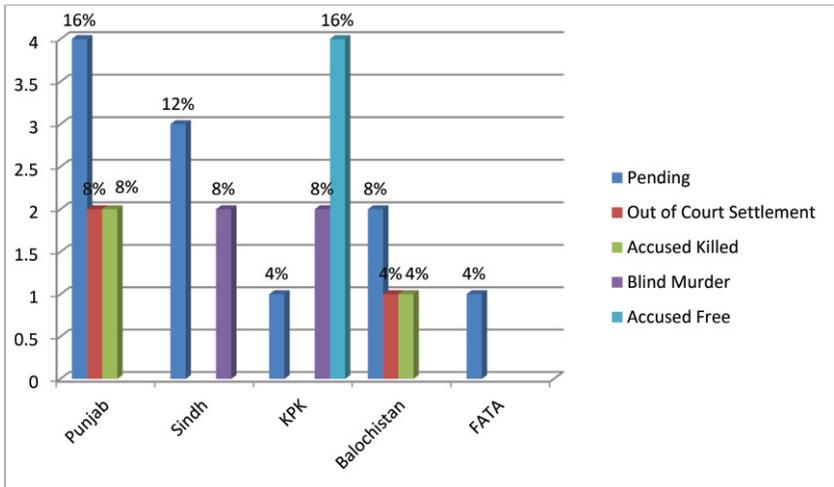
Key findings

- Barely a third of the cases of murdered journalists declared fit for trial in a court of law – only one in three – completes prosecution in the court. The process of justice for two of every three journalists murdered in Pakistan whose case even reaches the court does not even conclude.
- Courts in Balochistan and Punjab are the slowest in completing trials of cases of journalists declared fit for prosecution. Courts in Sindh are only marginally better. The only court in KP seized with the trial of a murdered journalist managed to complete prosecution stage.

COMBATING IMPUNITY –

Conviction of Killers

Data: What is the final status of court trials of journalists murdered?



Analysis

The murderers or masterminds of not even a single of the 26 journalists murdered in Pakistan for their journalism work during the period 2013-18 have been convicted or punished through all stages of conviction and appeals. Police investigations were not even completed in 11 of these cases (42%) while only 15 cases (58%) were declared fit for trial in a court of law. Of these, only six cases (23%) completed the trial. Of these six cases, not a single (0%) produced a conviction or punishment through all stages of conviction and appeals.

Of the six cases that went on trial in Punjab, four (66%) have not completed prosecution and are pending, two (33%) reached an out-of-court settlement between the litigants and in two cases (33%) the principal accused were both murdered.

Of the one case that went on trial in KP, the first stage prosecution was completed producing a guilty verdict for the principal accused who filed an appeal in the high court where the prosecuting party refused to challenge the appeal for lack of resources to pursue justice in the high court and Supreme Court. The trial, thus, remains pending with conviction not final.

Of the four cases that went on trial in Sindh, three (75%) have not completed prosecution. One case reached completion in which the accused was declared innocent.

Of the four cases that went on trial in Balochistan, two (50%) have not completed prosecution. In one case an out-of-court settlement was reached between the contending parties. In one case the principal accused was murdered.

Key findings

- The level of impunity enjoyed by killers of journalists in Pakistan is near-complete. The killer of only one of the 26 journalists murdered in the period 2013-18 was convicted (3.5%).
- The only case of conviction of an accused killer was at the district court level in KP after which he filed an appeal for acquittal in the high court at which stage the family of the victim withdrew from the case due to a lack resources, essentially providing reprieve to the convicted, leaving the victim without real justice.

- Due to poor investigation, the police fail to produce challans in a third of the cases killing the chances of justice at an early stage of the legal system. Only two in three cases are declared fit for trial by a court.
- Due to the poor quality of prosecution, most cases never complete the trial process in the courts and even those few that do, fail to establish culpability of the accused who either walk free for lack of evidence or, in some cases, strike an out-of-court settlement with the family of the victim.

Names of Murdered Journalists province-Wise

Date	Name	City/Province	Designation/Organization
PUNJAB			
April 22 2014	Shahzad Iqbal	Mianwali, Punjab	Correspondent, Samaa TV
October 3 2014	Nadeem Haider	Hafizabad, Punjab	Reporter, Duniya Daily
October 5 2014	Yaqoob Shehzad	Hafizabad, Punjab	Reporter, Express News TV and Express Daily
Nov 26 2016	Khalid Mehmood Butt	Sahiwal, Punjab	Reporter, Local Journalist
March 3 2017	Bilal Sehar	Mankera town of district Bhakkar Punjab province	Reporter
May 17 2017	Mian Abdul Razzaq	Kasur, Punjab	Reporter, ARY News
March 2 2018	Anjum Muneeb Raja	Rawalpindi, Punjab	Desk Incharge, Daily Pukaar
March 27 2018	Zeeshan Ashraf	Sambrial, District Sialkot, Punjab	Correspondent, Nawa e Waqt
SINDH			
August 21 2013	Abdul Razik Baloch	Karachi , Sindh	Sub Editor, Daily Tawar
January 1 2014	Shan Dahar	Larkana/Sindh	Reporter, AbTak TV
Nov 5 2014	JewanArain	Ghambat Khurha, Sindh	Reporter, Dharti TV
Sept 9 2015	Aftab Alam Noor	Karachi, Sindh	Freelancer
February 12 2017	Taimur Abbas	Karachi, Sindh	Cameraman, Samaa News Channel
KHYBER PAKHTUNKHWA			
October 11 2013	Ayub Khattak	Karak, Khyber Pakhtunkhwa	Reporter, Karak Times
January 30 2014	Bakhtaj Ali	Mardan, Khyber Pakhtunkhwa	Reporter, Manzar-e-Aam
March 2 2014	AbrarTanoli	Abbottabad, Khyber Pakhtunkhwa	Reporter, Photographer/ Daily Shumal, Daily Mahasib
November 3 2015	Zaman Mehsud	Tank, Khyber Pakhtunkhwa	Reporter, Daily Ummat
November 23 2015	BafeezurRehman	Kohat Khyber Pakhtunkhwa	Reporter/Editor, NEO TV and Urdu Daily Asia

Date	Name	City/Province	Designation/Organization
January 16 2016	Muhammad Umar	Dera Ismail Khan/Khyber Pakhtunkhwa	Correspondant, Daily Dera News
June 11 2017	Bakhsish Ellahi	Haripur, Khyber Pakhtunkhwa	Bureau Chief, K2 Newspaper
BALUCHISTAN			
March 1 2013	Mehmood Ahmed Afridi	Kalat, Balochistan	Reporter, Daily Intikhab
August 28 2014	Irshad Mastoi	Quetta Baluchistan	Bureau Chief, Online News Agency and ARY News TV
August 28 2014	Abdur Rasool	Quetta Baluchistan	Reporter, Online News Agency
June 28 2015	Zafarullah Jatak	Usta Mohammad, Jaffarabad, Baluchistan	Reporter, Intikhab Daily
January 13 2017	Muhammad Jan Sumalaka	Kalat/Balochistan	Reporter/Daily Quadrat Daily Talar
(FORMER) FATA			
February 27 2013	Malik Mumtaz	MiranShah, Federally Administered Tribal Areas (FATA)	Reporter, Geo, The New, Jang, ATV Khyber

About Freedom Network

Freedom Network (www.fnpk.org) is a Pakistan-based media and development sector watchdog registered with the Securities and Exchange Commission of Pakistan (SECP). The organization's core value is to protect freedom of expression, including freedom of the press and Internet, and access to information and promote an informed society that sees media as a key partner in a democratic and pluralist Pakistan. In 2017, Freedom Network was awarded the prestigious global French Human Rights Prize 2017 by the Government of France for “its efforts for safety and protection of journalists and promotion of freedom of expression.”

OUR MISSION: To protect civil liberties, including freedom of expression and access to information, and promote an informed society that sees media as a key partner in a democratic and pluralist Pakistan.

OUR OBJECTIVES AND EXPERTISE:

- 1. To serve as a watchdog on the right to freedom of expression, including freedom of the press and Internet and of civil society**
 - a. Through monitoring of the rights to freedom of expression, including freedom of the press and online
 - b. Through monitoring and documenting violations of freedom of expression, including freedom of the press and Internet
 - c. Through researching the causes, symptoms and case studies of the violations of freedom of expression in all forms of media
 - d. Through monitoring violation of the right to expression of non-media sections of society such as human rights groups, development practitioners, and the performing arts industry.

- 2. To promote an ethical and professional media**
 - a. By promoting, supporting and conducting advocacy, research, analysis and training initiatives for media
 - b. By promoting, supporting and conducting initiatives to help civil society strengthen its stakeholding in a pluralistic, independent, open and professional media with emphasis on professional ethics and journalism best practices
 - c. By strengthening the interface between media and civil society by

improving professional development communications within and for development sector organizations as well as for their supporters and donors

- d. By promoting a culture of safety and security for journalists and media houses through advocacy, research and training on issues of safety and impunity against journalists

3. To serve as an advocate for freedom of expression and access to information as fundamental rights

- a. Through a broad range of advocacy, research and analysis initiatives
- b. By promoting and building synergies between and among media and civil society stakeholders
- c. By promoting citizens' participation on issues relating to freedom of expression and access to information
By conducting assessment missions, studies, research, translations of resources in multiple languages on its own and for other organizations for wider national and international audiences

About Authors

Adnan Rehmat is a journalist, analyst, researcher and media rights activist. His interests include media professionalism issues, ethical journalism, safety of journalists, development communications, literature and science. He has researched, written and advocated extensively on issues related to Pakistan's evolving media and political communications landscapes. He is based in Islamabad and can be reached at adrehmat@gmail.com.

Iqbal Khattak is a journalist, media rights activist and researcher. He is the Executive Director of Freedom Network. He worked for national and international media organizations. He specializes in journalists' physical and digital safety and trained hundreds of journalists in Pakistan and abroad. He monitors Press Freedom in Pakistan since 1999. He may be reached at khattak63@gmail.com

CRIME AND PUNISHMENT IN PAKISTAN'S JOURNALISM WORLD: ZERO JUSTICE FOR PAKISTAN'S 26 MURDERED JOURNALISTS

IMPUNITY OF CRIMES AGAINST JOURNALISTS PAKISTAN REPORT 2018

PAKISTAN'S IMPUNITY SCORECARD for 2013-18

Journalists **murdered** during 2013-18 period: **26**

Police First **Investigation** Reports [FIRs] registered: **25** (96%)

Police challan [**charge-sheet**] filed in courts: **16** (60%)

Cases declared **fit for trial** by court: **15** (58%)

Prosecution and trial completed in cases: **6** (23%)

Killers **convicted**: **1** (3.5%)

Killers convicted AND **punished**: **0** (0%)

JUSTICE for murdered journalists: **0** (0%)

Pakistan has been consistently ranked by international media watchdogs as one of the most dangerous places on the planet to practice journalism. The levels of impunity enjoyed by killers of journalists is shockingly high. This report is a detailed investigation into failures of the legal system in prosecuting and punishing killers of all 26 journalists murdered in Pakistan during 2013-18. It seeks – and finds – answers to the following questions:

CRIME: Threats and Threat Response

- Which actors threaten journalists in Pakistan?
- Which regions in Pakistan are the most dangerous to practice journalism?
- Are the threats tracked and reported by journalists?
- Are the media employers, press clubs, unions of journalists and state authorities informed of threats journalists face before they are murdered?

PUNISHMENT: Investigation and Trial

- Who takes responsibility of reporting murders of journalists to the police?
- How efficient is the police in completing investigations of the murders?
- How many cases of murdered journalists land in courts and declared fit for trial?
- In how many cases is the prosecution completed and trial concludes?
- How many killers of journalists have been convicted and punished?

The findings this report showcases are startling, even shocking, and are derived analytically from an extensive exercise to collect data and information, based on a detailed Impunity Index developed by Freedom Network, from the families of the journalists killed, as well as from their colleagues where they worked and their local press clubs and unions of journalists, making this the most extensive exercise of its kind undertaken in Pakistan on the subject.