

CRIME AND PUNISHMENT IN PAKISTAN'S JOURNALISM WORLD

# ONE STEP FORWARD, TWO STEPS BACK

Impunity Of Crimes Against Journalists Pakistan Report 2023



Adnan Rehmat and Iqbal Khattak



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PAKISTAN'S JOURNALISM WORLD

**One step forward,  
two steps back**

**IMPUNITY OF CRIMES AGAINST  
JOURNALISTS PAKISTAN REPORT 2023**

*Pakistan legislates on safety of journalists  
but still fails to protect them*

International Day to End Impunity for Crimes  
Against Journalists - 2023

**Adnan Rehmat and Iqbal Khattak**

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# Executive Summary

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Pakistan made history when in August 2021 it became the first country in the world to specifically legislate on safety of journalists after the Sindh provincial assembly passed the **Sindh Protection of Journalists and Other Media Practitioners Act**, which was then swiftly signed into law. Shortly thereafter, in November 2021, the National Assembly also passed the **Protection of Journalists and Media Professionals Act**, also notified into a law for the federal capital Islamabad and, on an interim basis, for other parts of the country – AJK, GB, Balochistan, KP and Punjab. – that hadn't passed a similar law for themselves.

Considering that both these progressive bills were passed to **improve the safety of media workers of all genders and fight impunity**, this constituted an important victory for the media and human rights community in Pakistan. Since the turn of the century, Pakistan has ranked as one of the most dangerous places on earth for journalists – since 2000 more than 170 journalists have been killed for doing their job, including two women. Additionally, impunity is ripe – only two accused were convicted for these serious crimes.

Pakistan was ranked 157 out of 180 countries in Reporters Without Border's World Press Freedom Index in 2021 before the laws were passed. In 2023, the country had **improved its media freedom rank** to 150 due to the two laws – a legal framework that reflected an acknowledgement by the country that it needed to tackle the problem of violence against journalists and combat impunity through legal guarantees.

But this is only half the story. Presence of safety legislation does not equal automatic protection for impunity of crimes against journalists if their enforcement is not pursued as a priority through operationalization and resourcing. This is borne by empirical evidence. Crimes against journalists not only actually surged against journalists and media after the enactment of the two laws but, ironically, the highest cases of violations were in the two regions which had enacted journalists' safety laws for their geographic jurisdictions.

Despite the federal and Sindh laws on safety of journalists, both these regions emerged as the riskiest and most dangerous place to practice journalism in Pakistan in the two years since their enactment. According to Freedom Network statistics, at least 37.5% of the violations (93 out of total 248 cases) were recorded in the **federal capital Islamabad** alone. **Sindh** was the second worst

with 22.5% of the violations (56 cases). Additional statistics are included in subsequent chapters of this report.

Another key characteristic of the two-year post-legislation period was a distinct and **alarming increase in persecution of journalists**, especially by government authorities and state agencies, including kidnapping, physical assaults and serious cases against them including sedition, treason and electronic crimes. Details of these are also included in subsequent chapters of this report.

A key reason for the failure of these two legislations in improving safety of journalists was the fact that for over two years since the passage of the federal law, the federal government had **not operationalized the law** by notifying the **safety commission** that the law proposes with the mandate to enforce it.

The Protection of Journalists and Media Professionals Act was passed unanimously by the National Assembly when Imran Khan was prime minister. After he was voted out, Shehbaz Sharif became the prime minister until the parliamentary tenure expired in August 2023. Both governments, under the law, failed to institute the safety commission which meant that in effect the federal law remained non-operationalized and hence failed to help a single of the 93 journalists in Islamabad that were killed, attacked, injured, threatened or harassed in the two years since its enactment. **Both the governments that supported the federal journalists' protection law failed to enforce it.**

A somewhat similar situation prevailed in Sindh. The Sindh Protection of Journalists and Other Media Practitioners Act was passed in June 2021 and notified officially in August 2021, but the Commission for the Protection of Journalists and other Media Practitioners (CPJMP), proposed by the law, was only **notified one year late** in December 2022 with renowned and respected jurist Rasheed A Razvi appointed its first chairperson.

Even after the Commission was set up to ensure enforcement of the law, the Sindh government until August 2023 had failed to provide either an office, staff or a formal budget for its operations, thereby **procedurally hampering its operations** and severely restricting the Commission's ability to provide protection, relief and justice for the growing number of violations against journalists and media entities in Sindh province.

To Commission Chairperson Razvi's credit, without any operational resources, he was able to come to the aid of several journalists in Sindh who were either

kidnapped or attacked by issuing notices to the provincial authorities, including law enforcement agencies, to either recover or safeguard the journalists. His orders were complied, indicating that **if resourced properly, the Commission can help reduce impunity of crimes against journalists and media in Sindh.**

With the presence now on the statute books of the two specialist journalists' safety legislation, thanks to the efforts of many stakeholders over several years, especially the **Pakistan Journalists Safety Coalition (PJSC)** that groups together representatives of journalists, media industry, media development and support groups, human rights, digital rights and women's rights groups, political parties and human rights commissions, **Pakistan has a golden opportunity to become one of the strongest global performers in combating impunity of crimes against journalists.**

This, however, is only possible if at least the following **steps are urgently taken** – (i) formation of a safety commission under the federal Protection of Journalists and Media Professionals Act, (ii) appropriate and **adequate resourcing**, including budget, office and staff for Sindh's Commission for the Protection of Journalists and Other Media Practitioners, and (iii) enactment of similar **journalists' safety laws by Balochistan, Khyber Pakhtunkhwa and Punjab** after legislative assemblies are elected in these provinces in the 2024 provincial elections.



## Chapter 1

# Progression and regression in lockstep

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## A. Ground-breaking progress

In 2012, the United Nations launched the *UN Plan for Action on the Safety of Journalists and the Issue of Impunity* to rally various countries to stop growing intimidation of media, worsening attacks against journalists and the general failure by states to punish attackers of journalists and provide justice to victims. Pakistan was among the five countries for its pilot implementation. The goal was to rally key stakeholders in each country to produce collaborative and sustainable solutions of support to reduce impunity of crimes against journalists.

In Pakistan, thanks to the efforts of many stakeholders over several years, the Pakistan Journalists Safety Coalition (PJSC), an alliance supported by Freedom Network grouping together representatives of journalists, media industry, media development and support groups, human rights, digital rights and women's rights groups, political parties and human rights commissions, led the charge. It scored a major success after making safety of journalists a national agenda over the years and in 2021 convincing key political parties to enact specialist legislation on safety of journalists, thereby articulating an acknowledgement from the state that this problem existed and its committed solution would be translated into legal guarantees.

In this backdrop, Pakistan in August 2021 became the first country to specifically legislate on safety of journalists after the Sindh provincial assembly passed the Sindh Protection of Journalists and Other Media Practitioners Act, which was then swiftly signed into law. The Sindh chapter of PJSC contributed significantly to this outcome. Shortly thereafter, in November 2021, the National Assembly also passed the Protection of Journalists and Media Professionals Act, in a process significantly aided by the federal chapter of PJSC.

The two laws are significant as they both acknowledge the responsibilities of the state and the needs of Pakistan's journalists. Both laws promise to promote,

protect and effectively ensure the independence, impartiality, safety and freedom of expression of media professionals. The laws cover various aspects of the ‘three P’ mechanism recommended by the UN Plan of Action on the Safety of Journalists and the Issue of Impunity – Prevention, Protection and Prosecution.

Both laws are also quite progressive in the sense that they provide further safety guarantees against harassment of women media workers and have adapted a progressive interpretation of who as journalists can benefit from the legislation. Any journalist, irrespective of their religious background, gender, ethnicity and affiliation or medium are promised protection under the laws. The laws provide for the establishment of independent commissions with key stakeholder representatives for enforcement of laws for the protection of journalists. The federal law even requires three of its members to be women.

## B. An incomplete victory

With the two landmark laws, Pakistan has a major opportunity to become one of the strongest global performers in combating impunity of crimes against journalists. And yet, two years since the laws were enacted, statistics show no relenting in the scale of crimes against journalists. At least 248 cases of attacks and violations against journalists and media practitioners were documented in Pakistan in the two years between August 2021 and August 2023 – the period since the enactment of the first journalists’ safety related legislation in Pakistan’s history.

These statistics are documented from across all territories of Pakistan, including the four provinces, Islamabad, Gilgit Baltistan and Azad Kashmir, by Freedom Network as part of its regular monitoring of violations against journalists and media in Pakistan. In the two years the passage of the two journalists’ safety laws, 248 cases of violations amount to over 10 cases of violations a month – or more than two per week. The documented violations in this period include:

- 11 cases of **murders** of journalists, plus another 20 unsuccessful assassination attempts.
- 25 instances of **legal** cases registered against journalists.
- 11 cases of **abductions**, plus another case of unsuccessful kidnapping attempt.
- 25 cases of **arrests, detentions or illegal confinements** of journalists by the State.
- 59 cases of **physical assaults**, 26 of which caused bodily injuries.

- 05 cases of **attacks on the homes** of journalists.
- 30 cases of specific **threats** of murder or other dire consequences issued to journalists.
- 59 cases of **harassment** of journalists.

Ironically, despite the federal and Sindh laws on safety of journalists both these regions emerged as the riskiest and most dangerous places to practice journalism in Pakistan in the two years since their enactment. At least 37.5% of the violations (93 out of total 248 cases) were recorded in the **federal capital Islamabad** alone. **Sindh** was the second worst with 22.5% of the violations (56 cases) and Khyber Pakhtunkhwa (KP) a close third at 18.5% (46 cases). These were followed by Punjab with 17.3% (43 cases), Balochistan with about 2.5% (6 cases), Azad Kashmir (AJK) with 1.2% (3 cases) and Gilgit-Baltistan (GB) with 0.5% (1 case).

## C. Legal and judicial actions

The period under review – August 2021 to August 2023, the two years since the enactment of two journalists’ safety laws – turned out to be difficult for journalists in Pakistan in many ways. First, two different sets of political parties led the federal government during this period. The government of Prime Minister Imran Khan remained in power until he was removed from office through a vote of no confidence in April 2022, bringing Shehbaz Sharif’s coalition government that remained in office until the National Assembly completed its tenure in August 2023.

The journalists could be forgiven for not differentiating between the two governments: the fate of journalists in Pakistan remained the same under both regimes. The state apparatus remained one of the biggest threat actors for journalists and freedom of expression.

**State as prosecutor:** The period was characterized by filing of cases by the state against journalists under the Pakistan Penal Code (PPC) for alleged sedition, provocation for mutiny, criminal defamation and public mischief, as well as the Anti-Terrorism Act (ATA) and the Prevention of Electronic Crimes Act (PECA).

For example, during Khan’s government, journalists, bloggers and information practitioners like Imran Shafqat, Amir Mir, Bilal Ghauri and Mohsin Baig were booked under Section 20 of PECA and ATA. Some of these and other journalists also faced charges under PPC Section 124A (sedition), Section 499 (criminal defamation) and Section 505 (Statements conducive to public mischief). Waqar

Satti, a reporter associated with Geo TV, was booked under Section 295-A (deliberate and malicious acts intended to outrage religious feelings of any class by insulting its religion or religious beliefs) of PPC for sharing a video on social media consisting of Khan's statements on social media.

Similarly, police FIRs were registered during the Sharif government against anchors and bloggers such as Sami Ibrahim, Sabir Shakir, Imran Riaz, Arshad Sharif and Moeed Peerzada under Section 131 (abetting mutiny), Section 153 (provocation with intent to cause riot) and Section 505 (statements conducive to public mischief) of PPC.

**Judiciary as protector:** Also in this period, the Supreme Court of Pakistan and high courts emerged as playing pivotal roles in ensuring freedom of many of the journalists facing criminal charges for their free speech. In April 2022, Islamabad High Court declared a part of Section 20 of PECA and PECA (Amendment) Ordinance 2023 *ultra vires* to the Constitution and quashed a large number of cases filed by the state against journalists under that provision. In March 2023, Lahore High Court declared Section 124-A of PPC 1860 (the sedition law) struck down declaring it as *ultra vires* of the Constitution, bringing relief to journalists.

Similarly, Islamabad High Court and Lahore High Court granted pre-arrest bails to anchorpersons Arshad Sharif, Sami Ibrahim, Moeed Pirzada and Imran Riaz in May 2023. Supreme Court of Pakistan took *suo moto* action on the murder of journalist Arshad Sharif in Kenya. It also acquitted Ammad Yousaf, the president of a private television channel, in a sedition case and terminated actions against him.

**Legislatures as supporters:** In the same period, Sindh Assembly at the provincial level and National Assembly at the federal level passed the Protection of Journalists and Other Media Practitioners Act, 2021 and the Protection of Journalists and Media Professionals Act, 2021, respectively. The key objective of both laws is to combat impunity of crime against journalists. While the legislatures piloted by political parties have emerged as supporters of journalists, despite enactment of these special laws to combat the culture of impunity of crimes against journalists and information practitioners, the situation has actually worsened.

## D. Intimidation of journalists by State actors

At least 11 journalists have been killed in the period under review of which five were in Sindh province. High profile cases of those murdered for their

journalism like Arshad Sharif, Ajay Lalwani, Naresh Kumar and Jan Muhammad Mahar, have yet to be decided. The two safety laws have not been able to help them yet.

Enforced disappearances of journalists is also becoming another big issue. Imran Riaz, anchorperson and Youtuber, remained missing for four months in 2023 without any charge. The practice of harassing and threatening journalists through criminal cases against them and arresting them under criminal charges became a norm. In the period under review at least 25 legal cases were initiated against the journalists. Ten of these were registered in the Sindh. In 2023, Khalid Jamil, a senior journalist from Islamabad, was arrested for social media posts deemed seditious.

In the period under review, legislative actions also materialized aimed at restricting free speech and promoting censorship even in seemingly non-media related laws. In the twilight of its term in July and August 2023, the national parliament controversially amended the Pakistan Electronic Media Regulatory Authority (PEMRA) Ordinance 2002, the Prevention of Electronic Crimes Act 2016, the Official Secrets Act 1923, and the Army Act 1952.

Amendment in PECA and PEMRA – both special laws related to media and freedom of expression – and in the Official Secrets Act and Army Act, otherwise not directly related to journalists and media, will both impact journalism and free speech adversely. Access to information even through official sources and using it in news reports have been criminalized under these amendments. An example is the criminal case under Section 4 of PECA, Section 109 of PPC and Section 5 of Prevention of Corruption Act 1947 against journalist Shahid Aslam. He is accused of obtaining public tax records and allegedly sharing them with another journalist – Ahmed Noorani for his report on a former army chief’s wealth assets.

## Chapter 2

# Strategizing the battle against impunity through advocacy

## Advocacy for protection of journalists

Challenges related to the safety of journalists and protection of their professional rights to freedom of expression and access to information are best guaranteed through policy and legal frameworks or all efforts to combat impunity for crimes against media and its practitioners will remain short-lived. This has been the principal assertion of the **Pakistan Journalists Safety Coalition (PJSC)**, a national alliance established in 2015 with the support of Freedom Network, which groups together representatives of journalists, media industry, media development and support groups, human rights, digital rights and women's rights groups, political parties and human rights commissions.

The PJSC has five chapters – one each for Balochistan, federal capital Islamabad, KP, Punjab and Sindh. Each chapter groups together key representatives of local press clubs, various factions of journalists' unions, media support groups, key media practitioners, statutory and non-statutory rights commissions, women's rights groups, digital rights advocates and human rights activists as well as politicians and political parties that champion media freedoms and free speech.

For over nine years, these chapters of PJSC – facilitated by Freedom Network – have worked at the federal and provincial levels in lobbying for support from political parties, legislatures and governments in instituting specialist legislation for safety of journalists at the national and provincial levels respectively. Most of this advocacy has been inspired by the *UN Plan of Action on the Safety of Journalists and the Issue of Impunity* that was launched by UNESCO in 2012 and endorsed by Pakistan in 2013.

The multi-year sustained lobbying and advocacy for safety and protection of journalists by the PJSC succeeded in 2021 when with this Coalition's help first the Sindh Assembly in August 2021 and then the national Parliament in November 2021 passed the Protection of Journalists and Other Media Practitioners Act and the Protection of Journalists and Media Professionals Act,

respectively. The legislations were based on drafts proposed by the PJSC based on long-running consultations with key stakeholders and incorporating their consensus on key elements of the legislation. Most of these were incorporated into the eventual legislations passed by the legislatures.

The PJSC's successes lie in not just the passage of the two laws – the first of their kind in the world – but essentially in the sustainable consensus generated through years of hard advocacy and successfully lobbying a broad set of stakeholders to be part of the process. The PJSC has been, thus, able to successfully link the issue of safety of journalists to the larger democratic ideals of freedom of expression, access to information, and socio-political communication needs of a developing state like Pakistan.

While the best successes of PJSC have been facilitating and supporting the legislations passed at the federal level and in Sindh provinces, it has also made, to varying degrees, major headway in Balochistan, KP and Punjab provinces. In each of these three provinces, the political parties, the media stakeholders and civil society support the passage of similar laws locally. The processes in these provinces were held up due to the political upheavals of 2022 which saw premature dissolution of provincial assemblies in KP and Punjab and turmoil in Balochistan.

The below are details of PJSC work during August 2021-August 2023 in the regions:

## Balochistan

Unlike other provinces, Balochistan offers a complex situation due to its security and dense political conflict running for several years now. While on paper the province suffered comparatively fewer number of violations against journalists between August 2021 and August 2023, but one key reason for this is the heightened incidence of self-censorship to evade danger.

The Balochistan chapter of PJSC held three meetings in the period under review to push for provincial legislation on safety of journalists. Its November 2022 meeting took a big step closer to moving a draft protection bill to the floor of provincial assembly through the support of all key parliamentary parties which attended that meeting in Quetta. However, this process was interrupted due to political instability and after Chief Minister Sanaullah Zehri resigned in January 2023 to sidestep a looming no-confidence motion tabled by the opposition.



*Quetta: A meeting of Pakistan Journalists Safety Coalition-Baluchistan chapter with parliamentary party leaders in Baluchistan Assembly is discussing legislation to protect journalists in the province in December 2022.*

The Balochistan chapter members wanted a bill co-owned by both the government and opposition to be brought to the assembly rather than just one side to improve chances of it getting bipartisan support. This approach was pursued. The chapter's members in their meeting at Quetta Press Club in July 2023 unanimously said the bill they approved during their November 2022 meeting would be pushed for approval.

The Balochistan government invited the chapter's members to review a draft of its law on safety of journalists. A meeting was scheduled for later to finalize this draft but in the meanwhile, the provincial assembly stood dissolved in August 2023 after completing its five-year term. The chapter decided to pursue the matter soon after a new assembly is elected in 2024.

## Islamabad

Islamabad is billed as “safe city” by the government. Data, however, disproves this notion as far as journalists' safety is concerned. At least 37% violations against journalists in Pakistan during the period August 2021 and August 2023 were reported from the federal capital. The highest-profile case in this period



was the murder of journalist Arshad Sharif. Although murdered in Kenya, his shock assassination is traced back to Islamabad after he was bombarded with legal cases following Imran Khan government's defeat through a vote of no-confidence in Parliament in April 2022.

The federal chapter had already succeeded in legislative advocacy in August 2021 when thanks to its successful lobbying with both governing and opposition parties in national parliament the Protection of Journalists and Media Professionals Act had been passed with unanimous support. In the period under review, the primary aim of the federal chapter was to get the government to quickly operationalize the law to begin its enforcement. This proved challenging.

Two meetings of PJSC federal chapter were held in the period under review pursuing a comprehensive advocacy campaign to get the federal government to notify a safety commission proposed by the law. It closely engaged with then minister for human rights Shireen Mazari, extending technical assistance through Freedom Network. In the meanwhile, the government of Khan lost power after being defeated in a vote of no confidence in April 2022 after failing to notify a safety commission under the law his government has passed.



ISLAMABAD: Prime Minister Shehbaz Sharif [4th from left] is seen at the 'Islamabad Safety Forum' international conference, co-hosted by Freedom Network and Pakistan Journalists Safety Coalition-Federal chapter, in December 2022.

The second meeting of the federal chapter was historic. In December 2022, it held a three-day “Islamabad Safety Forum,” facilitated by IMS (International Media Support) and participated by over a dozen organizations and stakeholders from Asia gathered to join the celebrations marking the 10 years of the UN Plan of Action with Pakistan showcasing two laws to combat impunity for crimes against journalists as a success story of the UN Plan of Action.

Prime Minister Shehbaz Sharif was keynote speaker in the international conference. “My government would like to be part of efforts of all relevant stakeholders in making Pakistani democracy stronger through free media and safer journalists,” he told the conference, promising to institute the safety commission proposed by the law to operationalize it.



He also tweeted his commitment before the international audience. In the dying days of his government before the National Assembly bowed out in August 2023 after its five-year tenure, the Sharif government advertised for a chairperson to the safety commission, but time ran out, leaving it to a new elected government after elections in early 2024 to finally operationalize the federal safety law for journalists.

## Khyber Pakhtunkhwa

In the period under review, the Khyber Pakhtunkhwa (KP) province bordering Afghanistan documented the third highest number of 248 cases of violations against journalists in Pakistan. This put it at 18.5% (46 cases) of the total violations, including the murder of two journalists. Aware of the environment of intimidation facing media practitioners, the KP chapter of PJSC kept up its advocacy campaign to lobby for a provincial law on safety of journalists.

The KP chapter held seven meetings during the period – more than any of the five PJSC chapters to drive the legal framework agenda. The meetings included sessions with adviser to the chief minister on information, secretary information and chairperson of the women’s caucus of provincial assembly besides government information minister and parliamentary leaders in the provincial assembly.

A meeting of KP parliamentary party leaders in the provincial assembly was held in December 2021 in Peshawar which led to a unanimous declaration calling for tabling a joint bill of government and opposition benches on protection of journalists in the assembly at the earliest.



*PESHAWAR: Pakistan Journalists Safety Coalition-Khyber Pakhtunkhwa chapter is meeting with chairperson of Women’ Caucus of provincial assembly to support legislation on protection of journalists.*

The PJSC chapter penned a letter to Prime Minister Imran Khan to urge him of his obligation of legislating on safety of journalists as promised by him in a tweet in July 2021. The letter was delivered to him through his party leader Shireen Mazari who as former federal minister had taken personal interest in pushing the law on protection of journalists through the National Assembly previously. The KP chapter was conveyed by Mazari that Khan had referred its letter to KP Chief Minister Mahmood Khan for his consideration.

In a meeting in July 2022, Muhammad Saif, who served the chief minister as his adviser on information, promised to take the issue of a special law for journalist protection to the cabinet meeting. The government had started its preliminary work on the proposed legislation, he told the PJSC members during the meeting in his office. The PJSC KP chapter members also met the secretary information in October 2022 for expediting the agenda of journalist protection. He also promised to accelerate the process.

The ruling party was close to finalizing the draft to table it in the KP Assembly, but political turmoil intervened. The provincial assembly was dissolved prematurely in January 2023, delaying the passage of the law until a new legislature is elected through national elections in early 2024.

## Punjab

In the period under review, Punjab documented several cases of violations against journalists. A total of 43 cases of violations were documented during August 2021 and August 2023, which constituted 17.3% of the 248 cases of violations documented across the country. This included eight attempts of assassination of journalists in the province of which two succeeded.

In the period under review the PJSC chapter in Punjab, like in other provinces, continued lobbying for enactment of a special legislation for protection of journalists in the province. However, the volatile political situation continued thwarting all efforts. It all started with Chief Minister Usman Buzdar government's defeat through a vote of no-confidence. It did not stop there. The issue was dragged to the apex judiciary. His replacement Chief Minister Hamza Shahbaz was then removed aided by a Supreme Court order to install the Pervaiz Elahi government. Ultimately even Elahi dissolved the assembly prematurely.

The timeline of governments changing in Punjab is as follows:

- **30 April 2022:** Chief Minister Usman Buzdar defeated through no-confidence vote
- **30 April 2022:** Hamza Shehbaz sworn in as chief minister
- **26 July 2022:** Hamza Shahbaz voted out
- **27 July 2022:** Pervaiz Elahi sworn in as new chief minister
- **22 Jan 2023:** Pervaiz Elahi dissolves Punjab Assembly
- **22 Jan 2023:** Mohsin Naqvi sworn in as caretaker chief minister

This political wrangling restricted the Punjab chapter of PJSC to hold just two meetings in the period under review. As the caretaker is not mandated to legislate in the absence of a legislature, an out-of-box solution was generated to propose an interim administrative arrangement to protect journalists in the province.

During its meeting in February 2023, the Punjab PJSC chapter discussed in detail the current political situation and limited powers of the caretaker government in the province. An outreach to the caretaker information minister Amir Mir resulted in the caretaker government agreeing to notifying a special committee to coordinate official responses to cases of attacks against journalists until a new elected government is sworn in and moves to legislate on safety as prioritized by the PJSC.

## Sindh

The period under review – August 2021 to August 2023 – started for PJSC’s Sindh chapter with a massive success. Aided by the chapter through sensitization and facilitation, the Sindh government of Chief Minister Murad Ali Shah in August 2021 created history by enacting the Sindh Protection of Journalists and Other Media Practitioners Act. Drawing heavily on a draft proposed by the Sindh chapter, this was the world’s first specialist legislation on safety of journalists.

Most of the Sindh chapter’s work, in the period under review was therefore aimed first at lobbying the government to operationalize the law by establishing the Commission for the Protection of Journalists and other Media Practitioners (CPJMP) and then, after it was established in late 2022, working with the Commission to strengthen its technical and operational capacities.

But the story of the Sindh chapter’s extraordinary success began much before the period under review. Responding to a PJSC letter before the 2018 elections seeking pledges for a legislation on safety for journalists, Pakistan People’s Party Chairperson Bilawal Bhutto-Zardari hosted a meeting for a PJSC delegation to understand what was at stake and how his party could help. On April 23, 2018, along with long time democracy and free speech champion Farhatullah Babar, who is also a member of the PJSC, Bilawal Bhutto received Freedom Network Executive Director Iqbal Khattak, International Media Support representative Adnan Rehmat and IRADA Executive Director Muhammad Aftab Alam.

“People’s Party will be the first party to go for such legislation if we win the (2018) elections,” Bhutto promised in the meeting after agreeing that the impunity of crimes against journalists in Pakistan was unacceptable and the community must be protected if democracy was to be strengthened.

While PPP did not form the government at the federal level in the 2018 elections (won by Imran Khan’s party), Bhutto kept his promise and through his party first helped pass the Sindh Protection of Journalists and Other Media Practitioners Act in August 2021 in Sindh province and then in November 2021 lent his party’s support for the passage of the Protection of Journalists and Media Professionals Act in the National Assembly.

Four PJSC Sindh chapter meetings were held in Karachi between August 2021 and August 2023. The earlier meetings were aimed at pursuing the notification of the CPJMP proposed by the Sindh law. This finally came in December 2022 – more than a year after the law was enacted. In the two years since the law was passed, Sindh emerged as the second most dangerous region in Pakistan to practice journalism. Sindh documented at least 22.5% of the 248 violations – a total of 56 cases – against journalists across Pakistan in this period.

## Chapter 3

# Mechanisms to counter impunity

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## Sindh mechanism

The Sindh province was the first in Pakistan to legislate on safety of journalists and enacted the Sindh Protection of Journalists and Other Media Practitioners Act in August 2021. In December 2022, the province notified the Commission for the Protection of Journalists and other Media Practitioners (CPJMP).

The CPJMP is headed by renowned jurist and former judge of the Sindh High Court, Rasheed A. Razvi. Other members include representatives of All Pakistan Newspaper Society (APNS), Council for Pakistan Newspaper Editors (CPNE), Pakistan Broadcaster Association (PBA), Pakistan Federal Union of Journalists (PFUJ), Sindh Bar Council (SBC), Human Rights Commission of Pakistan (HRCP), All Pakistan Newspaper Employees Confederation (APNEC), two Sindh Assembly women members and secretaries of the provincial departments of Information, Home, Law and Human Rights.

Even after the Commission was set up to ensure enforcement of the law, the Sindh government until August 2023 had failed to provide either an office to house the CPJMP, staff for it or even a formal budget for its operations, thereby procedurally hampering its operations and severely restricting the Commission's ability to provide protection, relief and justice for the growing number of violations against journalists and media entities in Sindh province.

Despite these early procedural, structural and financial challenges, Chairman Razvi is undeterred. "We are determined to implement our mandate, provide protection for journalists and combat impunity against them in Sindh," he said in a meeting with PJSC Sindh chapter on 16 February 2023 in Karachi in the presence of other commission members. "This is a commission that will work," he added.

On a request from Freedom Network, the Commission shared data to allow a look at its early-days operational capacities and challenges.

In its first nine months, the CPJMP received a total of 10 formal complaints.

From amongst these, the Commission successfully helped recover two missing journalists from Karachi, got one released from detention, and addressed another's safety issue. In one case, the victim failed to contact the commission after a commission member lodged the complaint on his behalf. Similarly, no relevant departments, such as Home Department and Sindh Police, shared any progress report with the Commission in three cases, according to its data.

During the same period of nine months, Freedom Network monitored and documented at least 20 cases of threats against journalists, including murder of two journalists and as many abductions, in Sindh province. This means that due to paucity of resources that can help establish adequate systems, at least 50% threat cases against journalists in Sindh remained unreported to the Commission.

Two journalists were murdered in Sindh in September 2023 alone. The case of only one journalist – Jan Muhammad Mahar – was reported to the Commission which sought report from Sindh Police. However, the case of murder of the second journalist – Asghar Khand – went unreported.

In this period, the Commission held three regular and four executive committee meetings to take stock of its mandate and implementing it, as well as the state of violations against media practitioners in the province. Chairperson Razvi formed the executive committee for rapid response to cases of serious nature received at the Commission.

Considering that the Commission has not been given an office by the Sindh government, support staff or even a bank account in its first nine months, it is remarkable that the Commission has been able to help several journalists in serious cases, including recovery after kidnapping and freedom from illegal detention.

A special grant-in-aid of Rs 50 million was announced in September 2023 for the Commission only after the Freedom Network-supported Pakistan Journalists Safety Coalition's Sindh chapter pushed the Sindh government for an out-of-box solution. The grant-in-aid was arranged from the allocated budget for fiscal year 2023-24 of the Information Department.

Outgoing former chief minister Murad Ali Shah did not give any audience to the Commission to discuss the serious operational issues it is facing while taking up cases of attacks on journalists. On 15 September 2023, Caretaker Chief Minister Maqbool Baqar met Commission Chairperson Rasheed Razvi and other



commission members, including Dr Jabbar Khattak and Dr Tauseef Ahmed, discussing commission’s operations and challenges.

“The caretaker chief minister was sympathetic to our concerns and kindly ordered resolution of our urgent concerns including opening of a bank account for the Commission,” Razvi informed Freedom Network at his personal office on 15 September 2023 in Karachi.

The CPJMP is already remarkable in being the official enforcement vehicle of the Sindh Protection of Journalists and Other Media Practitioners Act, the first law of its kind in the world. It needs urgent support from experts and technical knowledge in establishing formal systems and effective mechanisms to optimally operationalize itself. The Sindh government must extend full and unconditional support to allow the CPJMP to succeed.

Freedom Network has signed an MoU with CPJMP to extend technical assistance to the Commission to strengthen its policies, mechanisms and practices and will extend all help possible to it based on its needs.



KARACHI: A group photo after a meeting of PJSC-Sindh chapter with Commission for the Protection of Journalists and other Media Practitioners’ Chairperson Justice (Retd.) Rashid A. Razvi (seated, center) on 16 February 2023

## Federal mechanism

The federal parliament legislated on the safety of journalists by enacting the Protection of Journalists and Media Professionals Act in November 2021. Under Section 12 of this law, the federal government is obliged to constitute an independent “Commission for the Protection of Journalists and Media Professionals” to operationalize the law. This has not happened in the period under review until August 2023 and is unlikely to happen until a new federal government is elected after general elections scheduled in early 2024.

Between the passage of the law in November 2021 and early 2024, three governments have failed to notify the mandated Commission to operationalize the law and appoint a chairperson to enforce the law. First the Imran Khan government failed to notify the Commission until he was voted out of office in April 2022, then the Shehbaz Sharif government failed to do it until the National Assembly completed its tenure in August 2023 after which the Anwarul Haq Kakar caretaker government took no initiative either.

The issue of constitution of the Commission was raised with Prime Minister Shehbaz Sharif on 6 December 2023 during an international conference co-organized by Freedom Network and the Pakistan Journalist Safety Commission in Islamabad wherein he assured that his government would speed up the process.

Eighteen days before the Sharif cabinet was de-notified after President Dr Arif Alvi signed the dissolution order for the National Assembly on 9 August 2023,

F. No. 6-59/2020-DD (IC-I)  
GOVERNMENT OF PAKISTAN  
MINISTRY OF HUMAN RIGHTS  
\*\*\*\*\*  
APPOINTMENT OF CHAIRPERSON OF A COMMISSION FOR THE PROTECTION OF JOURNALISTS AND MEDIA PROFESSIONALS

The Ministry of Human Rights in consultation with Ministry of Information and Broadcasting invites suggestions for appointment as **Chairperson** of the Commission for the Protection of Journalists and Media Professionals to perform functions as required under the Protection of Journalists and Media Professionals Act, 2021.

Eligibility: Demonstrable knowledge of, or practical experience of minimum twenty years in matters relating to law, justice and human rights.

Term of office: 2 Years, extendable for another two years.

How to Suggest: The suggestions may be submitted by the Bar Councils, Bar Associations, Registered Human Rights Organizations on their official letterheads in the following format:-

**APPLICATION FORM**

Name of Suggested Candidate: \_\_\_\_\_ Photo  
Father Name: \_\_\_\_\_  
CNIC No: \_\_\_\_\_  
Date of Birth: \_\_\_\_\_ Age: \_\_\_\_\_  
Gender: \_\_\_\_\_ Domicile: \_\_\_\_\_  
Qualification: \_\_\_\_\_  
(Attach copies of Degrees/Testimonials): \_\_\_\_\_  
Experience: \_\_\_\_\_  
(Proof of Experience; Attach additional pages if required)  
Email address: \_\_\_\_\_  
Present address: \_\_\_\_\_  
Permanent address: \_\_\_\_\_  
Date of submission: \_\_\_\_\_

Name and contact details of the contact person of the suggesting entity

Suggestions complete in all respects may reach the office of undersigned within 15 days after publication of the advertisement at the following address: PIDU1468/23

**(Khaola Batool)**  
Deputy Director (IC)  
9<sup>th</sup> Floor, Kohsar Block, Pak Secretariat,  
Islamabad. Tel: 051-9212008  
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*A screenshot of the advertisement issued for a chairperson of the federal safety commission for journalists by the Shehbaz Sharif government before it completed its tenure.*

then Federal Information Minister Marriyum Aurangzeb informed Freedom Network on 22 July 2023 that an advertisement for seeking applications for the post of commission chairperson was being placed in newspapers. The advertisement appeared soon after but there is no official update about the recruitment process.

## Punjab mechanism

Due to the extreme political turmoil in Punjab that saw five governments in the period under review, efforts at pushing through a bill on safety of journalists in the provincial legislature were thwarted. Additionally, premature dissolution of Punjab Assembly and an ensuing caretaker government without the mandate to legislate meant that all efforts at legislation of the Punjab chapter of PJSC had to be postponed until a new provincial government was elected in national elections scheduled in early 2024.

However, the Punjab chapter did manage to create consensus among all key stakeholders that the Sindh province needed to be emulated in terms of Punjab having its own legal framework to protect journalists against harm. This consensus was instrumental in producing an “interim solution” until the next elected Punjab assembly could legislate on safety of journalists in its provincial jurisdiction.

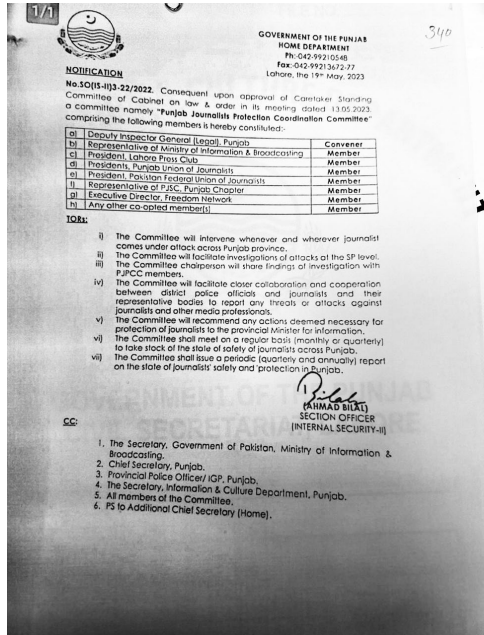
Caretaker Punjab Information Minister Amir Mir lent his support to the idea from PJSC Punjab chapter on establishing an administrative remedy. He secured approval from the caretaker cabinet and got an official notification issued to create the “Punjab Journalists Protection Coordination Committee” on 19 May 2023. The committee will comprise deputy inspector general (legal) of Punjab, a representative of the Ministry of Information and Broadcasting, presidents of Lahore Press Club, Punjab Union of Journalists and Pakistan Federal Union of Journalists, a representative of the PJSC Punjab chapter, the executive director of Freedom Network (Iqbal Khattak) and any other member that the Committee wants to co-opt. The DIG Legal will act as convener of the Committee.

The notification establishing the Punjab Journalists Protection Coordination Committee outlined the following as its mandate:

- Intervene whenever and wherever journalists come under attack across Punjab.
- Facilitate investigation of attacks at the superintendent police level.
- Share findings of investigation with PJSC members.

- Facilitate collaboration between police and journalists in reporting threats.
- Recommend any actions for protection of journalists to the minister for information.
- Meet monthly to take stock of state of safety of journalists.
- Issue periodic and annual report on state of journalists' safety and protection in Punjab.

Bureaucratic red tape, meanwhile, prevented the committee from holding any meeting in the 100 days since its notification and the end of the period under review of this report. Several reminders sent to the caretaker government to conduct an inaugural meeting of the committee proved unfruitful as relevant bureaucrats appeared insensitive about the need for making the committee operational.



Copy of notification of establishment of "Punjab Journalists Protection Coordination Committee."

# WHAT NEXT? KEY RECOMMENDATIONS

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Pakistan entered the history books in August 2021 when it became the first country in the world to specifically legislate on safety of journalists after the Sindh provincial assembly passed the **Sindh Protection of Journalists and Other Media Practitioners Act**, which was then swiftly signed into law. Shortly thereafter, in November 2021, the National Assembly also passed the **Protection of Journalists and Media Professionals Act**, also notified into a law for the federal capital Islamabad and, on an interim basis, for other parts of the country – Azad Jammu and Kashmir (AJK), Gilgit-Baltistan (GB), Balochistan, Khyber Pakhtunkhwa (KP) and Punjab – that hadn't passed a similar law for themselves.

The presence now on the Pakistani legal system and statute books of these two specialist journalists' safety legislation, thanks to the efforts of many stakeholders over several years, especially the **Pakistan Journalists Safety Coalition (PJSC)** that groups together representatives of journalists, media industry, media development and support groups, human rights, digital rights and women's rights groups, political parties and human rights commissions, **Pakistan has a golden opportunity to become one of the strongest global performers in combating impunity of crimes against journalists.**

This, however, is only possible if at least the following recommendations are followed:

1. Establish a **safety commission** as stipulated under the federal Protection of Journalists and Media Professionals Act so that the legislation gets an enforcement structure.
2. Allocate appropriate and **adequate resourcing**, including budget, office and staff for Sindh's Commission for the Protection of Journalists and Other Media Practitioners, so that it can enforce its mandate.
3. Enact similar **journalists' safety laws in Balochistan, Khyber Pakhtunkhwa and Punjab** after legislative assemblies are elected in these provinces in the 2024 provincial elections, so that the legal right and guarantees on safety extended to journalists at the federal level and in Sindh can be extended to the journalists of these provinces as well.

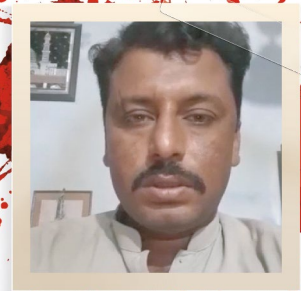
# Journalists killed during August 2021-August 2023



**Shahid Zehri**

Shahid Zehri, a reporter for *Metro One* news channel in Hub district of Baluchistan bordering Sindh province, was killed in targeted bomb explosion in his car on 10 October 2021 in Hub city, family and police report confirmed. A CCTV footage showed as the journalist took a turn an explosion rocked his care he was driving. An outlawed insurgent group “Baloch Liberation Army” took the claim for this murder.

Nazim Jokhiyo, a citizen journalist, on November 2 2021 was abducted from his house in Karachi. His body was found at Jam House, which belongs to a Malir landlord who is affiliated with the Pakistan People’s Party and member of Sindh Assembly. According to FIR, registered at the Memon Goth Police Station, Jokhiyo was tortured through the night, as a result of which he lost his life – also confirmed by the post-mortem conducted at the Jinnah Postgraduate Medical Centre, Karachi. Jokhiyo challenged a group of hunters who were out to hunt Houbara bustard, and reportedly filmed a video of Arab hunters engaged in the activity.



**Nazim Jokhiyo**



**Muhammad Zada**

Muhammad Zada, On November 8 2021, citizen journalist and YouTuber Mohammad Zada Agarwal was killed at his residence in Malakand district, Khyber Pakhtunkhwa. Two unidentified intruders who had arrived on a motorbike opened fire on him before fleeing. A focus of his work was the local drug mafia and he criticised the local administration for not taking stern action. The videos he put up on YouTube concerned the spread of drugs in his area.

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Zia ur Rehman Faruqi 7 News channel reporter Ziaur Rehman Farooqi in Khanewal district in Punjab province succumbed to his bullet wounds on 28 April 2022. He died in a Multan hospital where doctors tried their best to save the journalist. Ziaur Rehman was intercepted by 12 armed men on Canal Road in Kabirwala yelling at him for making footage of illegal occupation of land and airing it on his channel.

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**Zia ur Rehman Faruqi**

Ishtiaq Sudhero On July 1, 2022, Ishtiaq Sodhero, a member of the Rajanpur Press Club and a contributor to the Sindhi weekly paper *Chinag*, was shot dead outside his home in Kumb, a town in Sindh province's Khairpur district. His wife nominated a local police officer in murder of the journalist, and a FIR was filed against the officer and three other suspects.

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**Ishtiaq Sudhero**



**Iftikhar Ahmed**

Iftikhar Ahmed, On July 2, 2022, Iftikhar Ahmed, a *Daily Express* reporter, was assassinated by unknown assailants in Shabqadar, a town in the district of Charsadda. According to an eyewitness account, an unknown person opened fire on the journalist as he exited the mosque after offering his prayer, killing him on the spot.

Arshad Sharif, Investigative journalist Arshad Sharif was shot dead in mysterious circumstances in Kenya on 23 October 2022 after he left Pakistan on safety ground. Kenyan police initially said the Pakistani journalist was killed in a case of “mistaken identity” but since the seasoned journalist’s post-mortem and his body’s transfer to his home country, several Kenyan news outlets questioned the police’s conduct and raised questions over the manner in which he was killed.



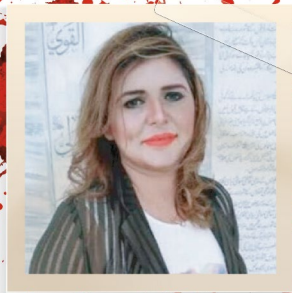
**Arshad Sharif**



**Naresh Kumar**

Naresh Kumar, Saleh Patt-based journalist Naresh Kumar, 30, witness to colleague’s murder, was killed in road accident near Gambat town of District Khairpur, Sindh, on 10 October 2022. Eyewitnesses and his colleagues said as he left his office in his car a truck which was pre-parked followed him and hit from behind. “He was targeted to remove this vital evidence in murder of another journalist,” his colleagues told Freedom Network. Naresh was also president of Saleh Patt Press Club and associated with Sindhi TV channel *Mehran TV* as reporter.





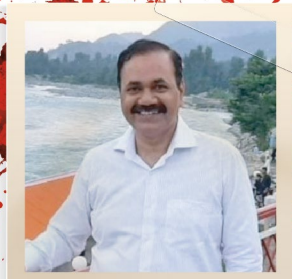
**Sadaf Naeem**

Sadaf Naeem, reporter of *Channel 5* channel, died in an accident covering political rally of Pakistan Tehreek-e-Insaf (PTI) party near Sadhoke town in Punjab province on 29 October 2022. Sadaf was crushed under the truck carrying PTI chairman Imran Khan while trying to climb up the container for a live beeper for her channel. She is believed to have fallen off the container and the truck ran over her.

Ghulam Asghar Khand Journalist Ghulam Asghar Khand, associated with a Sindhi Daily *Sobh*, Khairpur, was killed by 'unknown' armed men on 7 August 2023. According to reports, Ghulam Asghar was attacked and killed by some 'unknown' armed men riding on motorcycles when he was sitting at his guest house in village Ameer Bux within the limits of Ahmedpur Police station. He received nine bullets and died on the spot.



**Ghulam Asghar  
Khand Faruqi**



**Jan Muhammad  
Mahar**

Jan Muhammad Mahar Senior journalist and political analysis Jan Muhammad Mehar working with KTN News channel in Sukkur, was assassinated on 13 August 2023 in Sukkur city. According to reports, Jan Mohammad Mahar was severely injured in the brutal assault. Mahar works as the Sukkur bureau chief for the prominent Sindhi-language Kawish Television Network (KTN News). He was ambushed by unidentified armed persons as he was leaving his office in the heart of Sukkur city.

# Journalists Abducted during August 2021-August 2022

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- 1- Sher Muhammad Sahi a reporter of PTV was kidnapped by gangs of Katch from Nawaz Abad district Rahim Yar Khan, Punjab.
- 2- Shahzeb Khaskheli was kidnapped in MirpurKhas Sindh by drug dealers after he reported on collusion between Police and Drug Mafia
- 3- Umer Nahiyon was abducted from his home; he was reporting against illegal occupation of land from the residents using the security agencies in village Gharo near Karachi
- 4- Nafees Naeem was picked up near his residence in Karachi, according to CCTV footage he was forcibly pushed into a white Vigo
- 5- Faheem Baloch, editor of an online news website was kidnapped in Karachi
- 6- Abdul Mujeeb remains abducted by armed men in Gilgit Baltistan for a short while
- 7- Senior reporter Irfan Raza was abducted from Islamabad and later he was found from Chakri some 50 KM away from capital
- 8- Senior Journalist Gohar wazir was abducted from Bannu and tortured before being released after more than 30 hours
- 9- Senior journalist and anchorperson Sami Ibrahim was abducted from Islamabad after he left office
- 10- Zubair Anjum was abducted by men in plain clothes from his home in Karachi later the police denied his arrest and disappearance
- 11- Syed Muhammad Askari, was kidnapped by unknown officials but the police expressed ignorance about his abduction, he was abducted while returning from a function in Karachi.



# ABOUT FREEDOM NETWORK ([www.fnpk.org](http://www.fnpk.org))

Freedom Network is a Pakistan-based independent media and development sector research, advocacy and training organization registered with the Securities and Exchange Commission of Pakistan (SECP). It was established in 2013. 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 24/7 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 stake 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
  - d. 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