

TRUTH IN A TIME OF PANDEMIC: THE VIRAL FRONTLINE PAKISTAN

PAKISTAN

CONFRONTING THREATS TO DIGITAL AND PHYSICAL SECURITY

The media industry in Pakistan found itself in the midst of an existential crisis with critical areas going from bad to worse in the period under review. A staggering two-fifths of media jobs – 8,000 out of 20,000 – were wiped out partly due to lifeline public sector advertising for the media industry cut by over half and a pandemic that disrupted the media economy, including drying up private sector advertising. This period also witnessed one of the most extensive crackdowns on dissent by any Pakistani government that saw media freedoms erode significantly in 2020-21. This was in the shape of both announced and unannounced coercive regulations that put severe curbs on freedom of expression, particularly online. The government, which assumed office in late 2018 seemed to have found the perfect opportunity in the pandemic to starve media of both funds and freedoms. Lost jobs were not the only tragedy – those that held on to theirs faced deep pay cuts and longer salary arrears on the pretext of a tanking economy.

The threats to safety – both physical and digital – remained a daily hazard. The government – both federal and provincial – failed in its professed commitment to enact laws on safety for journalists to allow for procedural safety mechanisms despite pressure from journalists' unions and other media associations. This notwithstanding, the prime minister himself tweeted in the summer of 2020 that his government was tabling a safety bill in parliament 'shortly'. Proposed new regulations aimed at criminalising dissent online were announced but thwarted by courts through media and civil society activism. Women journalists in particular had a rough year, facing relentless abuse through trolling by mostly ruling party officials resulting in a joint petition by them taking the government to account.

Journalists, mainly through the Pakistan Federal Union of Journalists (PFUJ), remained up in arms for most of the year and in early 2021 launched an "enough is enough" campaign across the country to protest job losses, pay cuts, coercive censorship and rising intimidation. The media industry found new external supporters, including the legal community and civil society in institutional and organised partnerships with PFUJ to jointly resist the rising attacks on working journalists, media freedoms and public interest journalism in Pakistan.

AILING INDUSTRY

The period under review has been one of the most difficult times for the media industry on record in Pakistan. Job losses, pay cuts and delayed salaries for journalists and media workers, already becoming discernible since the media-hostile government of Prime Minister Imran Khan assumed office in 2018, snowballed into crisis proportions in the year of the pandemic. Over 8,000 of Pakistan's estimated 20,000 journalists lost their jobs in 2020 alone bringing to an end many a budding career in journalism.

The retrenchments, spreading as fast as the pandemic,

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were in major part caused by the government slashing its public sector advertising for the media and refusing to clear long standing dues on this count. This, coupled with a precarious economy, partly due to the devastating impact of the pandemic, had an adverse bearing on the media. The government acknowledged it could better handle the media crisis by partly clearing dues and invited media industry associations Pakistan Broadcasters Association, All Pakistan Newspaper Society and Council of Pakistan Newspaper Editors to devise a strategy but failed to follow up, leaving the industry mired in crisis.

Not just the smaller media players but also the giants of Pakistani journalism establishments laid off journalists and staff in droves. These included the largest groups, Jang, Dawn, Dunya and Express whose retrenchments ranged from dozens to hundreds each, multiple times. Several groups closed their bureau offices, hence cutting off news cycles and let go of their (often rural) district staff. Most offered a stark choice for the remaining staff: take 50 percent or higher pay cuts or leave. Arbitrary retrenchments and illegal terminations by media managements and owners in complete violation of the laws governing contracts and employment were commonplace. PFUJ protested the sense of impunity where media managements and owners were not even paying rightful dues of employees terminated.

Newsrooms shrank and public interest journalism – whose need during the pandemic was ironically greater than ever – took a hit. Digital disruption – most media houses expanding their digital footprint and closing legacy offline operations – also contributed to a shrinking workforce. Wages remained a critical concern. The PFUJ's urging of the government to ensure complete enforcement of the last Wage Board Award under the applicable laws and penalise the outlets that were not giving the legal dues to their workers, came to nought.

The period in review was also one of the worst on record for the relatively small percentage of women journalists and workers. The frequency and viciousness of harassment, especially the online variety on social media, of women journalists by members of major political parties, especially supporters of the ruling Pakistan Tehrik-e-Insaf (PTI) party forced dozens of women journalists to issue a statement. This prompted the National Assembly Standing Committee on Human Rights to conduct a detailed hearing of the complaint and elicited a promise by the human rights minister to stop the practice. Not much came of it.

SAFETY CONCERNS

The period under review brought forth several key safety-related challenges that adversely affected journalists and media workers. Key among these included a continuing spate of physical attacks that resulted in the murder of nine journalists, including a woman and two people with

religious minority backgrounds. Three of these killings took place in Punjab province and two each in Sindh, Balochistan and Khyber Pakhtunkhwa. Notably, none of the murders occurred in major cities, pointing to the vulnerability of journalists who work and live outside metropolitan centres.

Additionally, there were assaults on and injuries sustained by at least eight journalists; arrest or abduction of at least eight journalists; legal cases or notices faced by at least eight journalists; attacks on at least four media houses or establishments; death threats faced by at least three journalists; and coordinated violent online harassment and intimidation of dozens of women journalists and other digital information practitioners.

Both national and international organisations and informal collectives acknowledged the often serious threats to physical safety of journalists and other information practitioners in Pakistan and issued statements to express their concern. Some of these included the following:

In January 2021, the PFUJ gave the government a three-month ultimatum to take effective steps for resolving the acute problems of journalists and media issues and reverse "the worst ever suppression of the right to free press and expression that has severely compromised the independence of media in the country." The union said the government's failure to engage with associations of journalists in the given time to develop a framework that can provide physical, economic and mental security to media persons will lead to nationwide protests, strikes and lockdowns, it said, adding that a dialogue to finalise legislation for the protection of journalists is a prerequisite. "The [policies] stifling expression on electronic, print and social media need to be revisited as choking voices and silencing dissent are not the solution to the grave issues of Pakistan's state, democracy and polity. They only exacerbate them," a statement said.

In September 2020, the United Nations voiced alarm at the growing attacks on journalists and activists in Pakistan, often amid cries of blasphemy, urging the authorities to protect those facing threats and probe any violence. The UN rights office spokesman Rupert Colville said they were "increasingly concerned at numerous instances of incitement to violence, both online and off, particularly against women and minority journalists and activists, as well as physical attacks." He urged the Pakistani government to take "immediate, concrete steps to ensure the protection of journalists and human rights defenders who have been subjected to threats, and the need for prompt, effective, thorough and impartial investigations with a view to ensuring accountability in cases of violence and killings."

ASSERTING DIGITAL RIGHTS

In a fast-changing media environment in Pakistan, some key developments stood out in the period under review. The country experienced several setbacks in enforcement of digital rights and freedom of expression and the right to information online through regression in the areas of internet policies and regulations. This resulted in a rise in censorship, hate speech, digital surveillance and breach of privacy and disinformation and misinformation online, according to a report issued in late 2020 by Freedom Network, a Pakistani civil liberties advocacy and research group.

An aggressive federal government sought to overregulate

the media sector and to redefine the boundaries of free speech not only for the media or political opponents, but also of all citizens and civil society movements through an overuse of the Prevention of Electronic Crimes Act (PECA).

The authorities' arbitrary blocking of political, social, and cultural websites and undeclared policy of connectivity restrictions and increased disinformation. Additionally, restricting internet access to censor media in politically sensitive areas had other far-reaching consequences and severely impacted education during the lockdown.

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Several journalists and rights activists faced inquiries, abductions, investigations, arrests and criminal cases related to their online social media activities and posts. Government regulation did not however reduce hate speech and online harassment of journalists and religious minorities on social media. The themes of religious minorities, security agencies, human rights, gender, politics and development were identified in a survey of online journalism platforms conducted by Freedom Network as the main reporting and discussion subjects that elicited the most hostile reactions from detractors online. Threats, abuse, trolling, hacking, blocking and charges of treason from various threat actors included individuals, political parties, religious groups, unknown organised groups and even official sources.

Additionally, misinformation, disinformation and fake news spread primarily through social media platforms increased, with political polarisation encouraged by the ruling party and the prime minister himself. Women activists and journalists were particularly targeted, leading to blasphemy allegations and death threats, forcing some to go underground.

A heartening pushback was also seen when independent online journalism platforms together formed the Digital Media Alliance of Pakistan (DigiMAP) to challenge and resist the state's increasing authoritarianism on national dialogues initiated by grassroots communities. DigiMAP represents the emerging bold new ecosystem of independent media start-ups that have mandated themselves to be the champion of public interest journalism that the legacy media has been forced to surrender before an increasingly hostile state. DigiMAP also put out a strong statement against the new digital regulations.

WOMEN JOURNALISTS SPEAK OUT

Fed up with what they termed "vicious attacks" directed at them through social media, in August 2020, several well-known Pakistani female journalists and commentators spoke out loud and clear. Signed eventually by dozens of female journalists working for various media outlets and mediums, their statement said the attacks were making it

"incredibly difficult" for them to carry out their professional duties. "The target of these attacks is women with differing viewpoints and those whose reports have been critical of the government, and more specifically its handling of the coronavirus pandemic," the statement posted on Twitter with hashtag #AttacksWontSilenceUs, said. It added that the online attacks were instigated by government officials and then amplified by a large number of Twitter accounts, "which declare their affiliation to the ruling party."

It said personal details of women journalists and analysts had been made public as part of a "well-defined and coordinated campaign", while in some cases, their pictures and videos had also been doctored. Gender-based slurs and threats of sexual and physical violence bombarded their social media timelines. Responding to the statement, Human Rights Minister Shireen Mazari said it was "disturbing to learn of women journalists being targeted and abused. Abusing women because they are critical is never acceptable. Journalists do their job [and] to target them, especially gender-based abusive attacks on women journalists, is absolutely unacceptable and disgusting," she wrote on Twitter.

In March 2021, women journalists set up the Women Journalists Association (WJA) as a consequence of an extraordinary year when online violence and abuse against them escalated. Through a declaration, the women journalists demanded allocation of at least 33 per cent of seats in all journalists' bodies in the country, including the PFUJ and press clubs. WJA also called for a gender audit of media organisations to assess the number of women journalists who have lost their jobs during the current media crisis and availability of basic facilities at the workplace and a special desk to deal with online harassment cases of women journalists in the Federal Investigation Agency Cyber Crime Cell.

CRIMINALISING DISSENT

In the period under review the government in Pakistan attempted to accelerate its long-running efforts to beef up internet controls with the intended consequence of expanding its policy of reduced tolerance for dissent in the online realm. In November 2020, the government notified the Removal and Blocking of Unlawful Online Content (Procedure, Oversight and Safeguards) Rules 2020' under the controversial PECA law. The proposed new regulations will govern online free speech and internet content for both media producers and citizens as well as social media platforms that distribute this content. If implemented as articulated and intended, these will bring into effect a new level of hush on freedom of expression and chill on access to information.

There was immediate strong opposition to the proposed regulations by the media sector and civil liberties groups. They mounted a challenge in court which ordered internet and telecom regulator PTA to review the rules by consulting with relevant stakeholders, including the media and rights groups before finalising and implementing them.

The draconian regulations threaten not just individuals but any platforms such as social media giants carrying the comments and opinions of citizens can be held equally culpable for showcasing alleged dissent and can be imposed fines of up to USD 3.5 million by PTA. They have also been

mandated to shift their data centres to Pakistan and make them accessible to local authorities for censorship. The Asia Internet Coalition (AIC), which groups together such big tech giants as Facebook, Google, Twitter, LinkedIn and

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Yahoo, among others, issued a terse statement in response to these regulations and threatened to exit Pakistan if these were not withdrawn. The proposed regulations are tantamount to weaponising PECA which criminalises even legitimate dissent in the garb of preventing hate speech.

LAGGING BEHIND

The UNESCO director-general's Report on Safety of Journalists and Danger of Impunity 2020, indicates that Pakistan has been found wanting in its obligations under the UN Plan of Action which is a set of objectives, principles and actions developed by UNESCO's member states and endorsed by the UN Chief Executives Board in 2012, intended to directly address the problem of journalists' safety and the problem of impunity. It says safety of journalists was systematically included in field projects assisting media during elections, including in Pakistan and Myanmar. In 2020, UNESCO sent a request for information to the 63 States in which killings of journalists were registered between 2006 and 2019, including Pakistan, for which UNESCO records showed no evidence that the judicial cases had been resolved. It said for the 67 journalists killed in this period in Pakistan, the state provided information on not even a single case despite the request.

Despite having improved in the World Press Freedom Index over the last decade, Pakistan still ranked poorly in 2020. The PECA law, passed in 2016 and still operational, continues to be opposed by media rights organisations claiming it limits freedom of expression and free speech online. The Federal Journalists Welfare and Protection Bill, in its various avatars, which has been in discussion since 2011, had still not been approved and tabled in parliament in 2021 till filing of this report. The PFUJ in early 2021 held extensive consultations with working journalists and other experts on a final draft to be submitted to the government for approval.

Women continue to be severely underrepresented in Pakistan's media sector constituting less than five percent of the national working journalists' community, according to PFUJ. The authorities and media industry continue to fail to prevent most of the working journalists from attacks and intimidation, especially women journalists who remain targets of organised vicious online abuse. Representation of female role models or subject experts in the Pakistani media appears low, except women being projected as

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victims, which has significantly increased over recent years.

In terms of Pakistan's compliance with Sustainable Development Goal 16.10.1, related to safety and justice for journalists, in 2016 Pakistan was one of the first parliaments to adopt SDGs on its national agenda. It authorised the Federal Interior Ministry and the provincial home departments with reporting on the number of verified cases of killing, kidnapping, enforced disappearance, arbitrary detention and torture of journalists, associated media personnel, trade unionists and human rights advocates. It also authorised the National Commission of Human Rights, Ministry of Human Rights, police, and other protection agencies and relevant parliamentary standing committees with implementation and oversight.

The UNESCO Report 2020 on SDG 16.10.1 related to Pakistan indicates that in collaboration with the National Parliamentary Taskforce on SDGs, UNESCO took Islamabad Police Department on board to enable police stations to collect data and report on crimes against journalists at federal and provincial levels. The Islamabad police agreed to incorporate crime against journalists' indicators in the existing crime management database system to help ensure an integrated and swift response. The piloting of the integrated system initially began in the Islamabad Capital Territory covering 22 police stations in the city. The indicators for crimes against journalists will be incorporated by provincial police departments and eventually collated data will be submitted to the SDG Secretariat.

WELCOME BREAKTHROUGH

In September 2020, a unique collaborative mechanism – the Journalists Defence Committee (JDC) – was launched by the tripartite alliance of PFUJ, the apex union of working journalists in Pakistan, the Pakistan Bar Council (PBC) representing the legal community of the country and the Institute for Research, Advocacy and Development (IRADA), a civil liberties group that focuses on free speech issues. The JDC established a legal cell to provide free legal aid to defend journalists being served legal notices, often under the PECA law. In its first six months the JDC had managed to provide legal relief, through court actions, to several journalists.

In another positive intervention, around mid-2020, responding to growing intimidation of the media, the PFUJ, the PBC and the Human Rights Commission of Pakistan (HRCP), the country's premier independent rights watchdog, banded together to monitor serious violations against the media and call the violators, often government authorities, to account. The troika collaboratively issued a series of joint statements in defence of journalists' free speech and media freedoms. In a statement, they sought a judicial commission to investigate the abduction of a

journalist in Karachi. In another, they sought protection for a journalist being threatened for an expose of alleged corruption by a senior general. In yet another, they condemned the "systemic war against the media". The troika is unprecedented in the representation of an independent but popular sentiment on media freedom issues.

In January 2021, the PFUJ launched its 'Enough is Enough' campaign to stem the tide of retrenchments in the media industry, threats to media freedoms and intimidation of women journalists. In March 2021, the PFUJ said the campaign will be manifested through a 1,500 km "long march" of journalists starting from Quetta in Balochistan to Karachi in Sindh to Multan and Lahore in Punjab and to Islamabad and culminating in a siege of national parliament until their demands are met. The march, due to be launched in April 2021 was postponed due to an especially vicious 'third wave' of the pandemic and after the government engaged PFUJ in a discussion to consider their 19-point agenda to save the media and protect journalists.

ARRESTING THE SLIDE

Pakistan is on a steep and slippery slope on the media landscape with the Imran Khan government wantonly eroding freedom of expression through coercive internet regulations, cutting off lifeline public advertising for media that has resulted in thousands of job losses and criminalising dissent.

Journalists and media workers in Pakistan have never had it this bad before and need to mount a rear-guard action to stem the erosion of not just media freedoms but the unravelling of the media industry itself. Some of this has already started with the legal community and civil society, through their representative associations, partnering with the PFUJ to adopt collaborative strategies to blunt an aggressive government bent on cutting the media down to size. But urgent financial resources and expanding partnerships are needed in the short term to medium term to build a critical mass that can rescue the media industry, safeguard media jobs and adequately defend free speech.

Creative advocacy by a broad constituency of journalists, social media entrepreneurs, online gamers, free speech activists and right to information activists is needed to persuade the Pakistani state to stop being a predator of its citizens' free speech, and undo restrictions on access to information online, which would be in line with the 'Digital Pakistan Policy'. There is also a critical need to assist journalists and media workers make the transition to digital, including organising digital unionism for protections of the rights of media workers, and to support the burgeoning ecosystem of online independent public interest journalism platforms as they represent the future of journalism.

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 Federation of Media Employees' Trade Unions, Sri Lanka
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