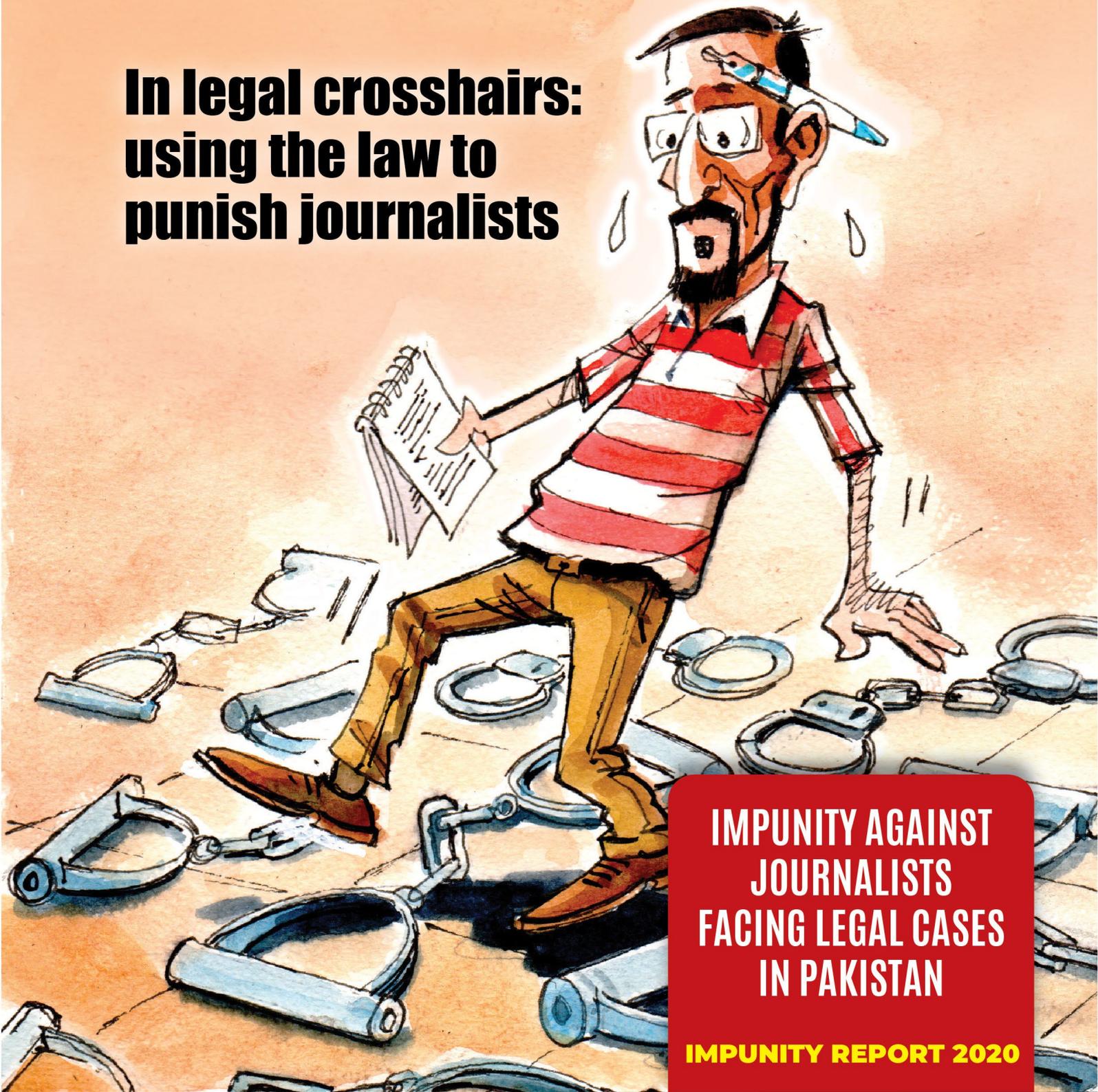


CRIME AND PUNISHMENT IN PAKISTAN'S JOURNALISM WORLD

In legal crosshairs: using the law to punish journalists



**IMPUNITY AGAINST
JOURNALISTS
FACING LEGAL CASES
IN PAKISTAN**

IMPUNITY REPORT 2020

By ADNAN REHMAT and IQBAL KHATTAK

SABIRNIMAR

CRIME AND PUNISHMENT IN PAKISTAN'S JOURNALISM WORLD

In legal crosshairs – using the law to punish journalists

IMPUNITY AGAINST JOURNALISTS FACING LEGAL CASES IN PAKISTAN

IMPUNITY REPORT 2020

*Tracking and examining the failure of the legal system
in providing justice to journalists facing legal cases
against their journalism work during 2018-19*

**International Day to End Impunity for Crimes
Against Journalists - 2020**

By ADNAN REHMAT and IQBAL KHATTAK

TABLE OF CONTENTS

EXECUTIVE SUMMARY – Key Findings and Recommendations	6
SECTION A – JOURNALIST VICTIMS AND THEIR PERSECUTORS.....	10
■ Journalists targeted by medium	10
■ The riskiest regions for journalists in Pakistan facing legal cases	11
■ Laws being used to target journalists in Pakistan.....	12
■ Criminal allegations being used against journalists in Pakistan.....	13
■ The most dangerous actors targeting journalists in Pakistan	15
SECTION B – TRACKING IMPUNITY OF LEGAL CASES AGAINST JOURNALISTS	18
■ Instruments of legal entanglement	18
■ Initiators of legal cases against journalists in Pakistan	19
■ How journalists defend themselves against legal cases	20
■ FIRs against journalists facing legal cases.....	21
■ Variety of allegations and multiple charges against journalists.....	21
■ Actions demanded from complainants	23
■ Adopting offense as the best defense	24
■ Legal cases leading to court cases	25
■ Cases declared fit for trial by courts.....	25
■ Conclusion of trial in courts	26
■ Outcome of concluded trials – guilty or innocent	27

EXECUTIVE SUMMARY –

Key Findings

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 140 journalists and media assistants have been killed in Pakistan since 2000** according to research and analysis by 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.

However, a relatively new form of persecution and threat has materialized in Pakistan in recent years – filing legal cases against journalists and entangling them in the legal process as a way of punishment. While the risky environment for journalists in Pakistan and the nature of attacks against them is well documented, there is often little information available about whether the victim journalists being slapped with legal cases have received any justice. And if not **why is the legal system in Pakistan failing these journalists, why is the level of impunity enjoyed by their persecutors so high?**

Over the course of 2018-19 Freedom Network has documented at least 17 legal cases against journalists across Pakistan – the four provinces and the federal capital – for which it has been able to get complete data from them, including copies of the legal notices and police first investigation reports (FIRs) against them and details of the trials. Analysis of their data and details of the progress in the legal framework and processes reveal startling insights into Pakistan's legal system and its inability to provide justice to most journalists who are victims of persecution related to their journalism work.

This report presents these insights related to only those categories of instances in which legal cases were filed against journalists for which we were able to get data and legal cases that were registered during 2018-19. Cases filed in 2020 were not included in this report to allow for at least one year to have lapsed since filing of the cases against journalists and to allow for the legal process to play itself out for at least one year to determine the level of effective actual impunity in such cases.

This research and analysis report produced by Freedom Network is the third in a series of annual reports 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 victim journalists facing legal cases for their journalism work.

KEY FINDINGS

The **key findings** of this research on impunity of persecutors filing cases against journalists in Pakistan based on the above parameters – for the period under review for **legal cases filed against journalists** in the period under review and updated until end-October 2020 – include the following:

Journalists targeted by medium in Pakistan

Journalists working for print media are the most risk to legal cases against them; print media practitioners are twice as likely to be the target of legal action than television media.

The riskiest regions for journalists facing legal cases

Sindh is the most dangerous region for journalists when it comes to registration of legal cases against them. It is three times as risky for journalists as compared to other provinces and federal capital.

Laws being used to target journalists

Most journalists (over one-third) are being charged under various provisions of the Pakistan Penal Code; nearly one-third of the journalists who face legal cases are at risk for being charged under the anti-terrorism law, while they are also at risk of being charged under the electronic crimes law and defamation law.

Criminal allegations being used against journalists

The most frequent allegations (nearly 65%) under which legal cases are registered against journalists include “acting against state institutions” or “defaming state institutions”. In over one-third (35%) of the legal cases against journalists apparently outlandish and frivolous allegations – but which carry serious consequences – are slapped against them, including “illegal possession or arms and explosives,” “drug running,” “keeping banned literature” and even “harassing citizens.”

The most dangerous actors targeting journalists

The state and its functionaries have emerged as the biggest legal threat to journalists in Pakistan with 15 of 17 cases (88.2%) registered by them while law enforcement agencies such as Police and FIA are the single largest (41.1%) type of actor registering legal cases against journalists.

Instruments of legal entanglement

Over two-thirds of all journalists that face legal cases, FIRs are registered against them; the rest receive either formal legal notices or court summons.

Initiators of legal cases against journalists

In nearly 80% of the legal cases filed against journalists, the initiators were affiliated with various government ministries and departments while individual government officials – often senior ranking bureaucrats – are initiators of the cases against journalists.

How journalists defend themselves against legal cases

Over 80% journalists hire services of a lawyer to defend themselves against legal cases while very few either attempt mediation or counter-departmental action against their accusers.

FIRs against journalists facing legal cases

Most journalists against whom legal cases are filed, find an FIR registered against them.

Variety of allegations and multiple charges against journalists

There is no distinct pattern of specific allegations against journalists facing legal cases; most journalists against whom FIRs are filed face multiple charges.

Actions demanded from complainants

Often more than one action is demanded from journalists from those registering legal cases against them. The most frequent demand (nearly 60%) is proof of allegations printed / posted by journalists in a court of law and the second most frequent (in over one-third of cases) demand is for an apology from journalists.

Adopting offense as the best defense

Most journalists (over two-thirds) ask their lawyers they hire to file counter legal cases against their complainants while one in three journalists facing a legal case focuses on merely defense, not offense.

Legal cases leading to court cases

In only two-thirds of the cases the investigation process by the police was completed and allowed to proceed to court for trial while in one-third cases the challan was not even completed.

Cases declared fit for trial by courts

In the two-third cases in which investigation was completed and landed in court, only about half the cases were declared fit for trial while barely one-third of overall cases were declared fit for trial.

Conclusion of trial in courts

Trials in an overall majority of cases (nearly 60%) never reached conclusion – leaving most journalists without a chance to prove themselves innocent although nearly 80% of cases declared fit for trial reached conclusion.

Outcome of concluded trials – guilty or innocent

In majority of instances (over 80%) where the trial was concluded, the accused journalists were declared innocent and acquitted. However, in overall terms most cases (10 out of 7 – or over 60%) never reached a court or conclusion of trial and, therefore, most of the journalists facing legal cases never got justice.

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. They, however, do not necessarily endorse the findings of the report, which are the sole responsibility of Freedom Network.

Adnan Rehmat and Iqbal Khattak

November 2020

Islamabad, Pakistan

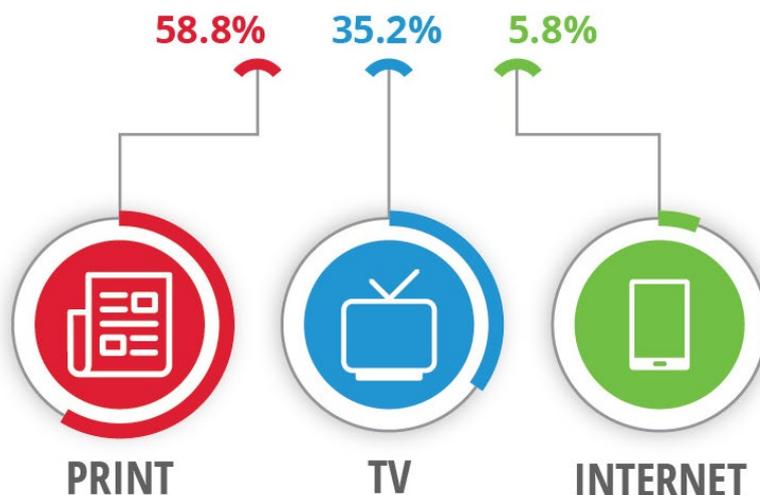
SECTION A

JOURNALIST VICTIMS AND THEIR PERSECUTORS

A1: Journalists targeted by medium

Of the 17 journalists surveyed against whom legal cases were registered in 2018-19, at least 10 worked for print media (58.8%), six for TV media (35.2%) and one for internet media (5.8%).

JOURNALISTS TARGETED BY MEDIUMS



Key findings

- Journalists working for print media (despite being the smallest medium) are the most risk to legal cases against them
- Print media practitioners are twice as likely to be the target of legal action than television media

A2: The riskiest regions for journalists in Pakistan facing legal cases

Of the 17 journalists surveyed against whom legal cases were registered in 2018-19, at least 10 worked for print media including 4 in Sindh, 2 each in KP and Punjab and once each in Balochistan and Islamabad. A total of 6 worked for TV media including 3 in Sindh and one each in Islamabad, KP and Punjab while one worked for internet media who was based in Islamabad.

The riskiest regions for journalists in Pakistan facing legal cases

	Balochistan	Islamabad	KP	Punjab	Sindh	Total
Print	1	1	2	2	4	10
TV	0	1	1	1	3	6
Internet	0	1	0	0	0	1
Total	1	3	3	3	9	17

Key findings

- Sindh is the most dangerous region for journalists when it comes to registration of legal cases against them. It is three times as risky for journalists as compared to other provinces and federal capital.
- Islamabad, KP and Punjab are equally at risk as the second most dangerous region for journalists facing the threat of legal cases.

A3: Victim members of press clubs

Of the 17 journalists surveyed against whom legal cases were registered in 2018-19, at least 12 were members of a press club. These included two each of Karachi Press Club, Sukkur Press Club and National Press Club and once each of South Waziristan Press Club, Peshawar Press Club, Lahore Press Club, Bahawalpur Press Club and Mehrabpur Press Club.

Victim members of press clubs

Press clubs	Yes	No
Membership of PCs	12	5
Percentage	70.5%	29.5%

Key findings

- Press club members are a distinct target of legal cases.
- Nearly two-thirds of all journalists in Pakistan facing legal threats are members of their local press club.

A4: Victim members of journalists' unions

Of the 17 journalists surveyed against whom legal cases were registered in 2018-19, at least 12 were members of a local union of journalists. These included 3 members each of Rawalpindi Union of Journalists (RIUJ) and Karachi Union of Journalists (KUJ), two of Khyber Union of Journalists (KhUJ) and once each of Tribal Union of Journalists (TUJ), Punjab Union of Journalists (PUJ), Sukkur Union of Journalists (SUJ) and Pakistan Federal Union of Journalists-Jamali Group.

Victim members of journalists' unions

Union of journalists	Yes	No
Membership of UJ	12	5
Percentage	70.5%	29.5%

Key findings

- Members of unions of journalists are a distinct target of legal cases.
- Nearly two-thirds of all journalists in Pakistan facing legal threats are members of their local union of journalists.

A5: Laws being used to target journalists in Pakistan

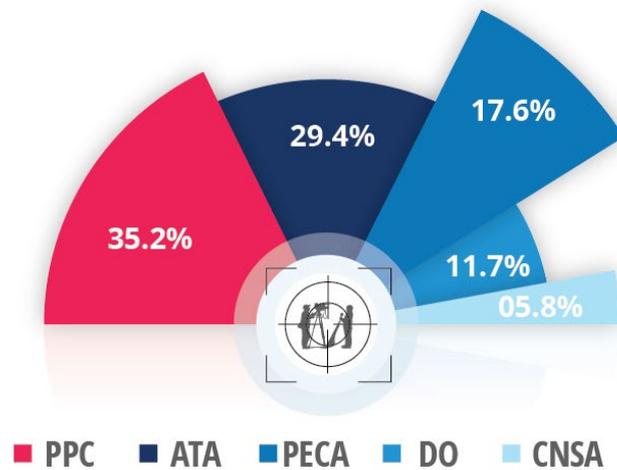
Of the 17 journalists surveyed against whom legal cases were registered in 2018-19, six were charged under various provisions of the Pakistan Penal Code (PPC), five under Anti-Terrorism Act (ATA), 1997, and three under Prevention of Electronic Crimes Act (PECA), 2016, two under the Defamation Ordinance (DO), 2002, and one under the Control of Narcotics Substances Act (CNSA), 1997.

The data further shows that Sindh is the worst predator of journalists when it comes to use of legal cases to target them – a total of seven cases out of 17 were registered in Sindh (41.1%) while three each (17.6%) in Islamabad, KP and Punjab with only one in Balochistan. Sindh's case is doubly alarming because of the use of anti-terrorism law against journalists.

Laws used to target journalists

Law	Balochistan	Islamabad	KP	Punjab	Sindh	Total	%
PPC	1	2	1	2	0	6 cases	35.2%
ATA	0	0	0	0	5	5 cases	29.4%
PECA	0	0	1	1	1	3 cases	17.6%
DO	0	1	1	0	0	2 cases	11.7%
CNSA	0	0	0	0	1	1 case	05.8%
Total	1	3	3	3	7	17	100

LAWS USED TO TARGET JOURNALISTS



Key findings

- Most journalists (over one-third) are being charged under various provisions of the Pakistan Penal Code.
- Nearly one-third of the journalists who face legal cases are at risk for being charged under the anti-terrorism law.
- Journalists are also at risk of being charged under the electronic crimes law and defamation law.

A6: Criminal allegations being used against journalists in Pakistan

Of the 17 journalists surveyed against whom legal cases were registered in 2018-19, at least 8 (47%) were broadly charged with bringing armed forces or intelligence agencies into disrepute (including 3 in Islamabad, 2 each in KP and Punjab and one in Sindh). Three journalists (17.6%) were broadly charged with acting against armed forces or intelligence agencies (including 2 in Sindh and one in KP). Two journalists (11.7%) were charged with harassing or attacking citizens (including one each in Balochistan and Sindh). Another two (11.7%) were charged with keeping illegal arms or explosives (including one each in Punjab and Sindh). One (5.8%) journalist in Sindh was charged with keeping banned jihadi literature while one journalist (5.8%), also in Sindh, was charged with drug trafficking.

Legal charges: Allegations against journalists

	Balochistan	Islamabad	KP	Punjab	Sindh	Total	%
Harassing citizens	1	0	0	0	1	2 cases	11.7%
Acting against state institutions	0	0	1	0	2	3 cases	17.6%
Defaming state institutions	0	3	2	2	1	8 cases	47%
Keeping banned literature	0	0	0	0	1	1 case	5.8%
Keeping illegal arms / explosives	0	0	0	1	1	2 cases	11.7%
Drug running	0	0	0	0	1	1 case	5.8%
Total	1	3	3	3	7	17	100%

LEGAL CHARGES: ALLEGATIONS AGAINST JOURNALISTS



Key findings

- The most frequent allegations (nearly 65%) under which legal cases are registered against journalists include “acting against state institutions” or “defaming state institutions”.
- In over one-third (35%) of the legal cases against journalists apparently outlandish and frivolous allegations – but which carry serious consequences – are slapped against them, including “illegal possession or arms and explosives,” “drug running,” “keeping banned literature” and even “harassing citizens.”

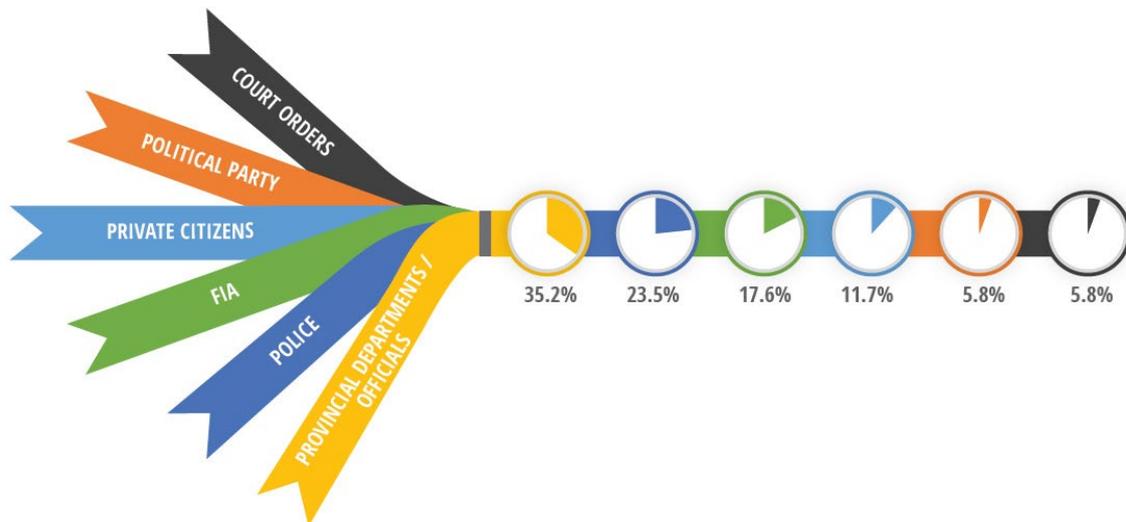
A7: The most dangerous actors targeting journalists in Pakistan

Of the 17 journalists surveyed who faced legal cases against them in 2018-19, at least 35.2% of the cases were registered by various provincial departments or their officials making them the largest predator of journalists with 6 cases registered. The second largest predator turned out to be the police departments (either provincial or federal) which registered four cases (23.5%) and the Federal Investigation Agency (FIA) the third largest predator which registered three cases (17.6%). Others included private citizens who registered two cases (11.7%) and political parties and courts which ordered one case registered each (5.8% each).

Targeting actors against journalists

	Balochistan	Islamabad	KP	Punjab	Sindh	Total	%
Political parties	1	0	0	0	0	1	5.8%
Police	0	1	1	0	2	4	23.5%
FIA	0	0	1	1	1	3	17.6%
Provincial govt departments / officials	0	2	0	2	2	6	35.2%
Private citizens	0	0	0	0	2	2	11.7%
Court orders	0	0	1	0	0	1	5.8%
Total	1	3	3	3	7	17	100%

THREAT ACTORS TARGETING JOURNALISTS



Key findings

- The state and its functionaries have emerged as the biggest legal threat to journalists in Pakistan with 15 of 17 cases (88.2%) registered by them.
- Law enforcement agencies such as Police and FIA are the single largest (41.1%) type of actor registering legal cases against journalists.
- Provincial government departments and their senior officials are the second largest (over one-third cases) type of actor registering legal cases against journalists.

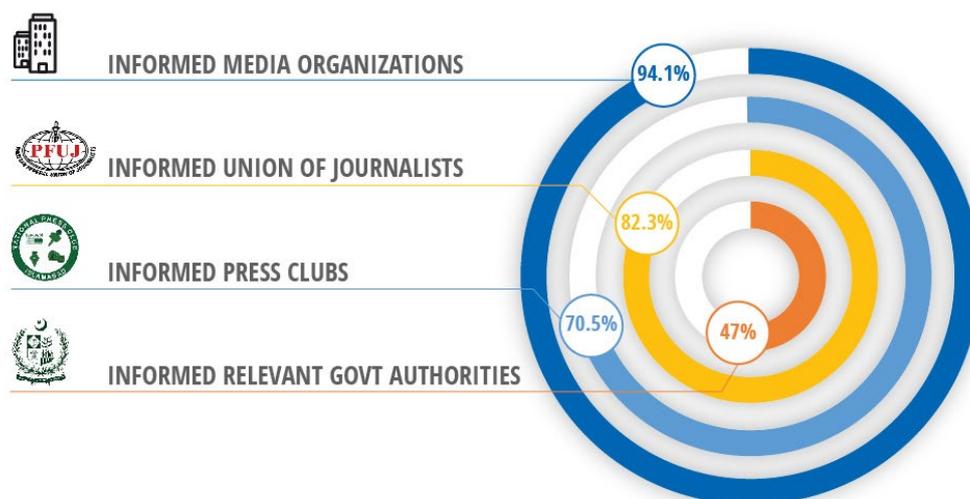
A8: Journalists raising alerts about legal cases against them

There was a high degree of reporting of legal cases registered against them by the journalists to their employers (94.1%), local press club (70.5%) and local union of journalists (82.3%). The relatively small percentage of cases in which the journalists did not report legal cases registered against them to local press clubs or unions was because some of the journalists were not their members. However, less than half (only 47%) of the 17 journalists got in touch with the relevant government authorities (in most instances the police) to seek help because it was mostly government departments themselves such as the Police and FIA that which had registered cases against them. In other instances, when learning that the cases were registered by officials associated with other, the police declined to register counter cases against the predators of journalists.

Reporting cases – journalists raising alerts

	Balochistan1 case	Islamabad 3 cases	KP 3 cases	Punjab 3 cases	Sindh 7 cases	Total 17 cases	%
Informed media organization	1	3	3	2	7	16	94.1%
Informed press club	0	3	2	2	5	12	70.5%
Informed UJs	1	3	2	1	7	14	82.3%
Informed relevant govt authorities	1	1	0	1	6	8	47%

REPORTING CASES – JOURNALISTS RAISING ALERTS



Key findings

- There is a high degree of reporting by the journalists about legal cases registered against them to their employers and relevant professional bodies.
- A majority of journalists (53%) tended to refrain from contacting government authorities for support, indicating low level of trust in the state.

SECTION B –

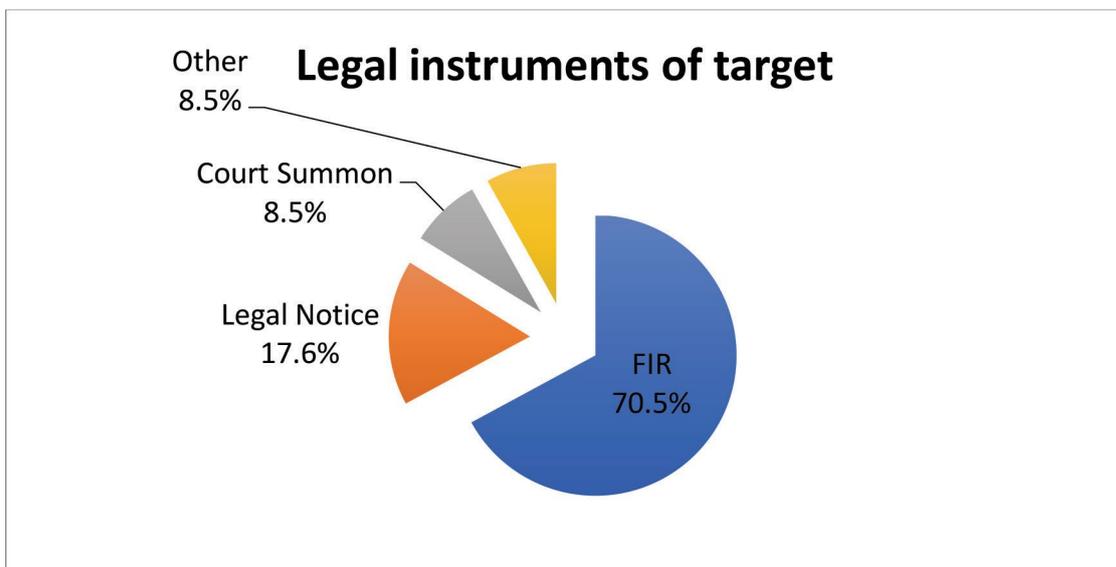
TRACKING IMPUNITY AGAINST JOURNALISTS

B1: Instruments of legal entanglement

Of the 17 journalists surveyed who faced legal cases against them in 2018-19, first investigation report (FIR) was the primary legal instrument used to engage them. At least 70.5% – or 12 journalists – had FIRs registered against them. Another three journalists – or 17.6% – were issued legal notices while one journalist received a court summon and another a departmental notice from FIA.

Instruments of legal entanglement

	Balochistan	Islamabad	KP	Punjab	Sindh	Total	%
FIR	1	1	1	2	7	12	70.5%
Legal notice	0	1	2	0	0	3	17.6%
Court summon	0	1	0	0	0	1	8.5%
Other	0	0	1	0	0	1	8.5%



Key findings

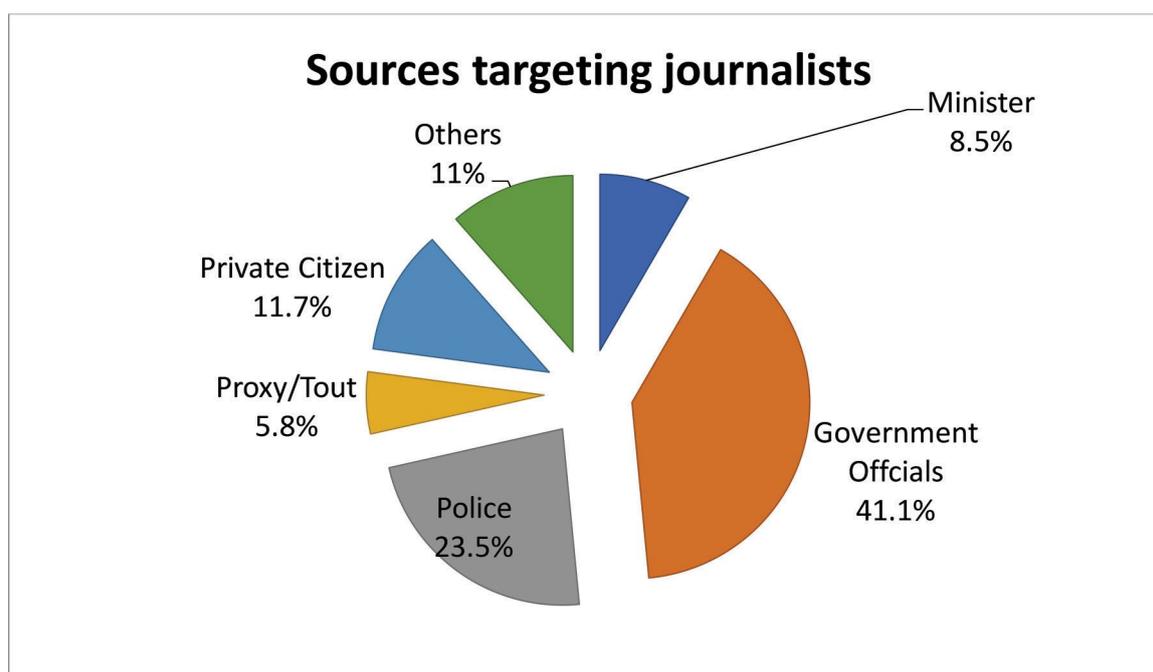
- Over two-thirds of all journalists that face legal cases, FIRs are registered against them.
- One-fourth of the journalists that face legal cases, either receive formal legal notices or court summons.

B2: Initiators of legal cases against journalists in Pakistan

Of the 17 journalists surveyed who faced legal cases against them in 2018-19, the principal threat actor initiating legal action against them were government officials. Various governmental bureaucrats initiated legal cases against seven journalists – or 41.1%. Police was the second largest predator with its officials initiating legal action against 4 journalists – or 23.5%. Private citizens and other miscellaneous actors were the third largest legal threat sources against two journalists each – or 11.7% each. At least one minister and one well known tout of intelligence agencies initiated legal action against one journalist each.

Sources targeting journalists

	Balochistan	Islamabad	KP	Punjab	Sindh	Total	%
Minister	1	0	0	0	0	1	8.5%
Govt officials	0	2	2	2	1	7	41.1%
Police	0	1	0	0	3	4	23.5%
Proxy / tout	0	0	0	0	1	1	5.8%
Private citizen	0	0	0	0	2	2	11.7%
Others	0	0	1	1	0	2	11.7%



Key findings

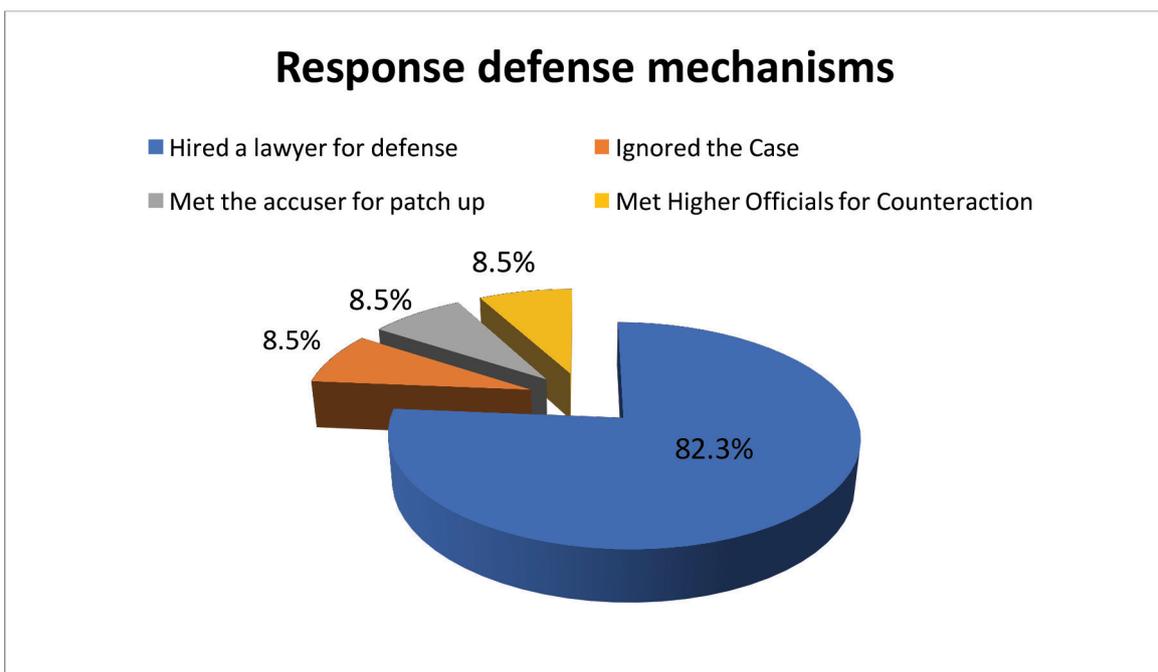
- In nearly 80% of the legal cases filed against journalists, the initiators were affiliated with various government ministries and departments.
- Individual government officials – often senior ranking bureaucrats – are initiators of the cases against journalists.

B3: How journalists defend themselves against legal cases

Of the 17 journalists surveyed who faced legal cases against them in 2018-19, the principal response mechanism for them was hiring a lawyer to defend them – 14 journalists, or 82.3%, did so. Of the remaining three journalists, one went for an in-person meeting with his accuser for patch-up, another met the superior officer of his accuser officer and countermanded him while the third totally ignored the case.

Response defense mechanisms

	Balochistan	Islamabad	KP	Punjab	Sindh	Total	%
Hired a lawyer for defense	1	1	2	3	7	14	82.3%
Ignored the case	0	0	1	0	0	1	8.5%
Met the accuser for patch up	0	1	0	0	0	1	8.5%
Met higher officials for counteraction	0	1	0	0	0	1	8.5%



Key findings

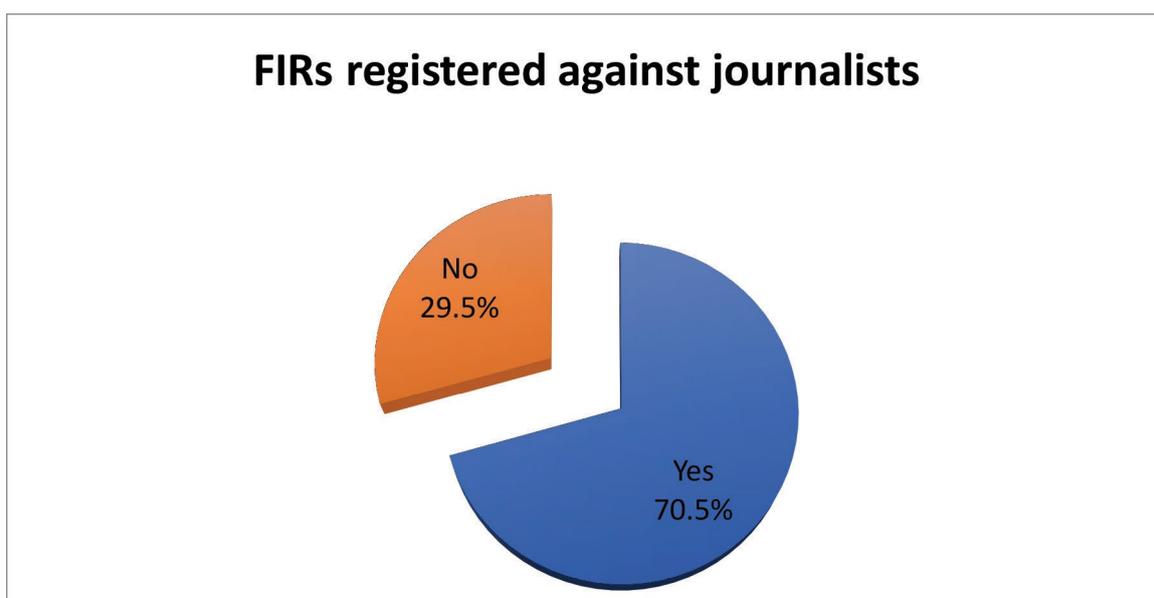
- Over 80% journalists in Pakistan hire services of a lawyer to defend themselves against legal cases.
- Very few journalists either attempt mediation or counter-departmental action against their accusers.

B4: FIRs against journalists facing legal cases

Of the 17 journalists surveyed who faced legal cases against them in 2018-19, FIRs were registered against 12 – or 70.5% – while none were registered against 5 journalists, or 29.5%.

FIRs registered against journalists

	Journalists	%
Yes	12	70.5%
No	5	29.5%
Total	17	100%



Key findings

- Most journalists against whom legal cases are filed, find an FIR registered against them.

B5: Variety of allegations and multiple charges against journalists

Of the journalists surveyed against whom FIRs were registered, all were charged with a wide variety of freedom of expression related crimes or other miscellaneous crimes.

The freedom of expression related crimes included “anti-state speech”, “speaking against armed forces”, “defaming intelligence agencies,” “defaming the state,” “general defamation,” “misuse of loudspeaker” and “keeping banned literature.” At least 41% of the charges related to this general category of alleged crimes. Other alleged crimes that the

journalists were charged with included “interference in state affairs,” “attacking citizens,” “cybercrimes,” “bribery,” “kidnapping,” “extortion,” “keeping explosives” and “drugs peddling.” At least 53% of the charges related to this general category of alleged crimes.

Allegations in FIRs

Categories of allegations	Balochistan	Islamabad	KP	Punjab	Sindh	Total
Anti-state speech	0	0	1	0	0	1
Interference in state affairs	0	0	0	1	0	1
Speaking against armed forces	0	0	0	1	0	1
Defaming intelligence agencies	0	0	0	0	1	1
Defaming the state	0	0	0	1	0	1
Attacking citizens	1	0	0	0	1	2
Misuse of loudspeaker	0	0	1	0	0	1
Cybercrime	0	0	1	0	0	1
Bribery	0	0	0	1	0	1
Defamation	0	0	0	1	0	1
Keeping extremist literature	0	0	0	0	1	1
Kidnapping	0	0	0	0	1	1
Extortion	0	0	0	0	1	1
Narcotics peddling	0	0	0	0	1	1
Keeping explosives	0	0	0	0	1	1
Others/ Miscellaneous	0	3	0	0	0	3
Total Categories						16

Key findings

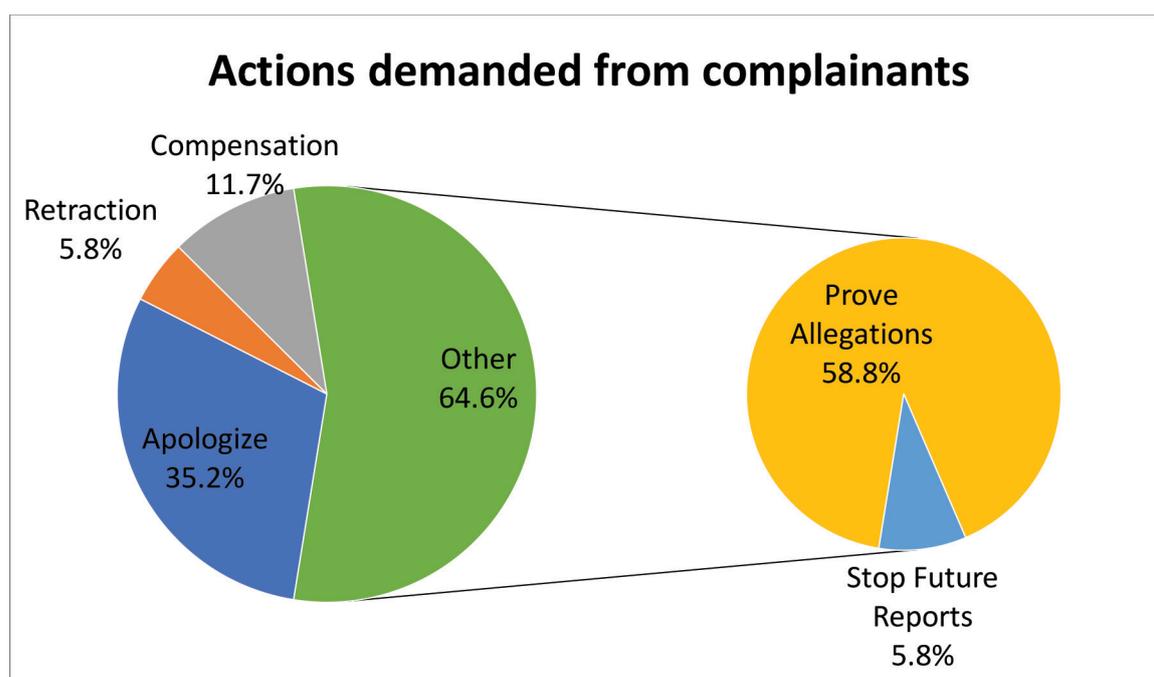
- There is no distinct pattern of specific allegations against journalists facing legal cases.
- Most journalists against whom FIRs are filed face multiple charges.

B6: Actions demanded from complainants

Of the 17 journalists surveyed who faced legal cases against them in 2018-19, their complainants demanded various redressal actions from them. Proof of allegations were demanded from 10 journalists (58.8%), written apology was demanded from 6 journalists (35.2%), compensation and damages were sought from 2 journalists (11.7%) and retraction of report and guarantees against future reports from one journalist each (5.8% each).

Actions demanded from complainants

	Balochistan	Islamabad	KP	Punjab	Sindh	Total	%
Apologize	0	3	3	0	0	6	35.2%
Retract report	0	0	1	0	0	1	5.8%
Offer compensation	0	2	0	0	0	2	11.7%
Prove allegations	1	0	0	2	7	10	58.8%
Stop future reports	0	0	0	1	0	1	5.8%



Key findings

- Often more than one action is demanded from journalists from those registering legal cases against them.
- The most frequent demand (nearly 60%) is proof of allegations printed/posted by journalists in a court of law.
- The second most frequent (in over one-third of cases) demand is for an apology from journalists.

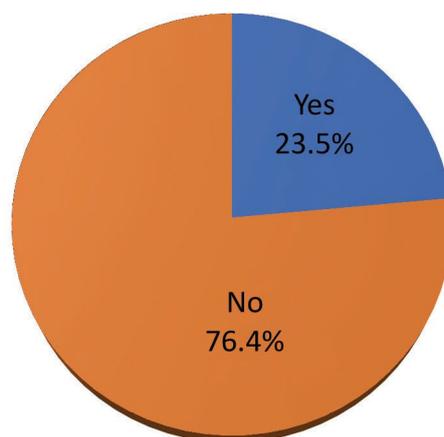
B7: Adopting offense as the best defence

Of the 17 journalists surveyed who faced legal cases against them in 2018-19, a vast majority – 13 journalists (76.4%) did not file a counter case against their accusers. Only 4 journalists (23.5%) did so.

Counter cases filed by defendant journalists

	Total journalists	%
Yes	4	23.5%
No	13	76.4%
Total	17	100%

Counter cases filed by defendant journalists



Key findings

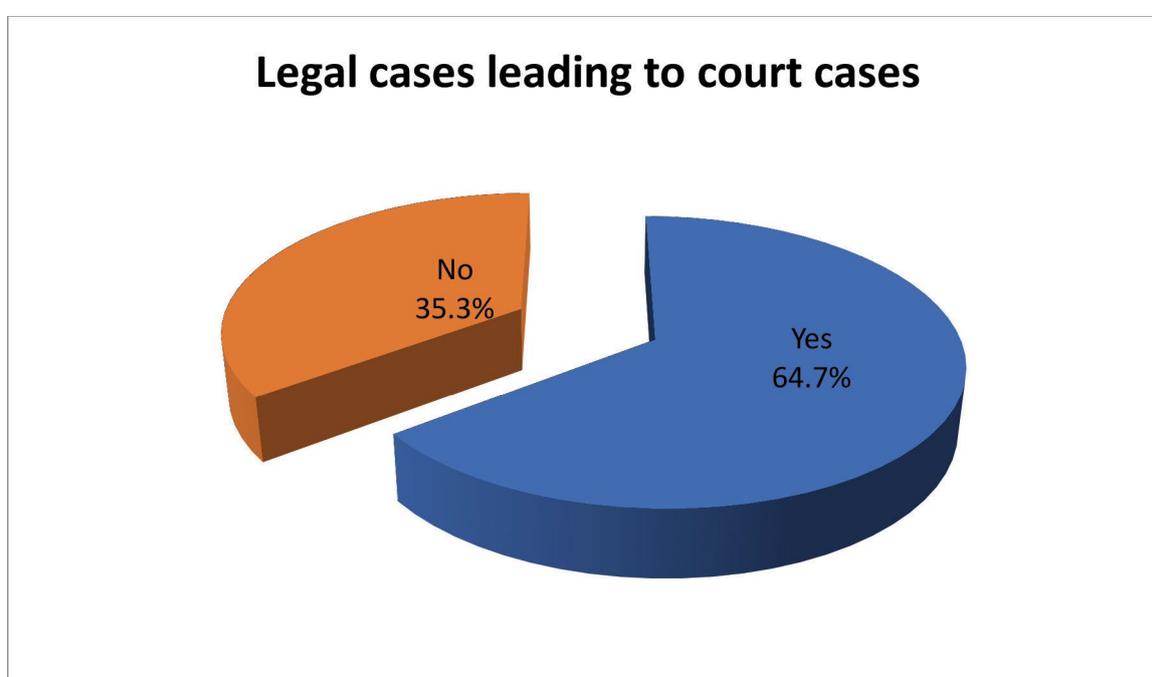
- Most journalists (over two-thirds) ask their lawyers they hire to file counter legal cases against their complainants
- One in three journalists facing a legal case focuses on merely defence, not offense.

B8: Legal cases leading to court cases

Of the 17 journalists surveyed who faced legal cases against them in 2018-19, the cases led to a challan (investigative report) being submitted to the court against a majority of 11 journalists (64.7%). The challan was not completed in cases against 6 journalists (35.3%).

Legal cases leading to court cases

	Total journalists	%
Yes	11	64.7%
No	6	35.3%
Total	17	100%



Key findings

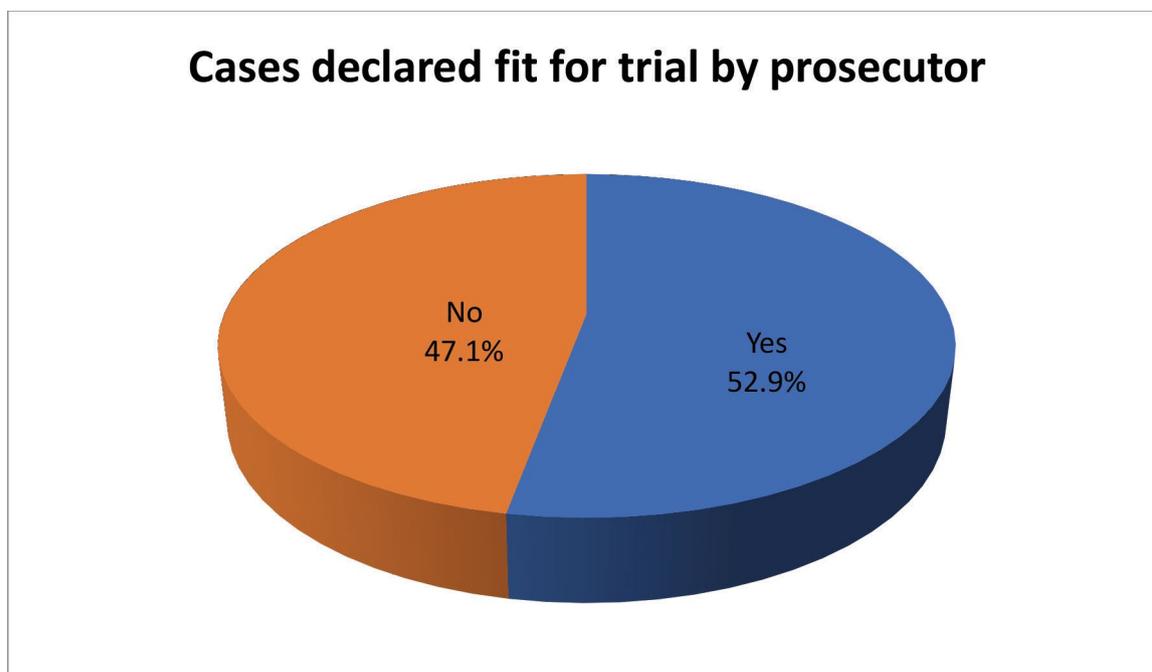
- In only two-thirds of the cases the investigation process by the police was completed and allowed to proceed to court for trial.
- In one-third cases the challan was not completed in cases against journalists.

B9: Cases declared fit for trial by courts

Of the 17 journalists surveyed who faced legal cases against them in 2018-19, and in 11 instances where investigation was completed, only in 9 cases (52.9%) the prosecutor declared the case fit for trial. In 8 cases (47.1%) the investigation was not deemed good enough for the case being fit for trial.

Cases declared fit for trial by prosecutor

	Balochistan	Islamabad	KP	Punjab	Sindh	Total	%
Yes	0	1	0	2	6	9	52.9%
No	1	2	3	1	1	8	47.1%



Key findings

- In the two-third cases in which investigation was completed and landed in court, only about half the cases were declared fit for trial.
- Barely one-third of overall cases were declared fit for trial.

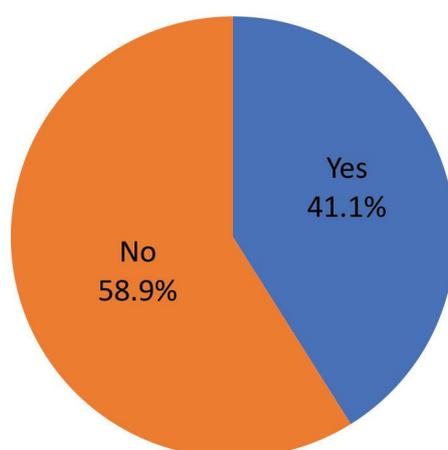
B10: Conclusion of trial in courts

Of the 17 journalists surveyed who faced legal cases against them in 2018-19, and in 9 instances where the cases were declared fit for trial, the trial was concluded in 7 cases (41.1%) while the case never reached conclusion in majority cases (58.9%).

Conclusion of trial in court

	Balochistan	Islamabad	KP	Punjab	Sindh	Total	%
Yes	1	0	1	0	5	7	41.1%
No	0	3	2	3	2	10	58.9%

Conclusion of trial in court



Key findings

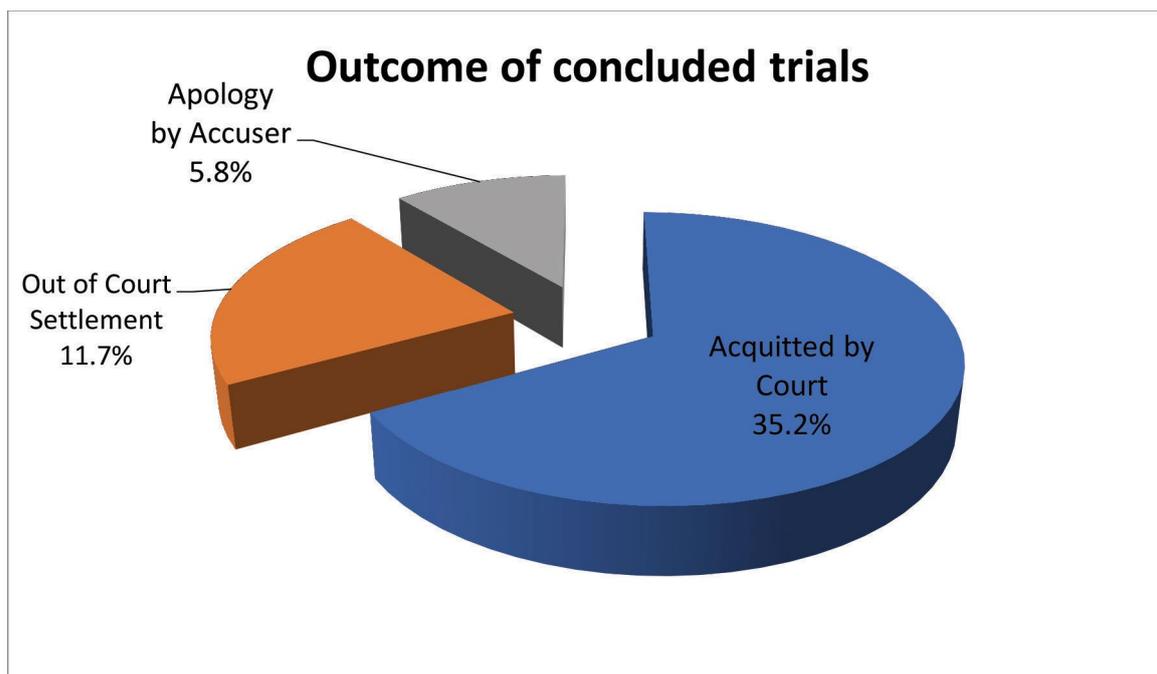
- Trials in an overall majority of cases (nearly 60%) never reached conclusion – leaving most journalists without a chance to prove themselves innocent.
- Nearly 80% of cases declared fit for trial reached conclusion.

B11: Outcome of concluded trials – guilty or innocent

Of the 7 out of 17 cases in which trial was concluded, the accused journalists were acquitted by the courts in 5 cases (only 35% of the 17 cases), while in two cases the accusers withdrew the cases – included one case in which the accuser apologized and reached an out of court settlement after being pardoned by the accused. Cases against 10 journalists remained in place inconclusive in the period under review (2018-19).

Outcome of concluded trials

	Balochistan	Islamabad	KP	Punjab	Sindh	Total	%
Acquitted by court	0	0	1	0	5	6	35.2%
Out of court settlement	1	1	0	0	0	2	11.7%
Apology by accuser	1	0	0	0	0	1	5.8%



Key findings

- In majority of instances (over 80%) where the trial was concluded, the accused journalists were declared innocent and acquitted.
- However, in overall terms most cases (10 out of 7 – or over 60%) never reached a court or conclusion of trial and, therefore, most of the journalists facing legal cases never got justice.

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
- 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

About Freedom Network

Freedom Network 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. It has the following mandate:

To serve as a watchdog on the right to freedom of expression, including freedom of the press and Internet and of civil society

1. Through 24/7 monitoring of the rights to freedom of expression, including freedom of the press and online
2. Through monitoring and documenting violations of freedom of expression, including freedom of the press and Internet
3. Through researching the causes, symptoms and case studies of the violations of freedom of expression in all forms of media
4. 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.

To promote an ethical and professional media

1. By promoting, supporting and conducting advocacy, research, analysis and training initiatives for media
2. 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
3. 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
4. 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

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

1. Through a broad range of advocacy, research and analysis initiatives
2. By promoting and building synergies between and among media and civil society stakeholders
3. By promoting citizens' participation on issues relating to freedom of expression and access to information
4. 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