

Charter of Freedom of Speech & Media in Pakistan (CoFSMiP)

PREAMBLE

We the civil society of Pakistan representing the political parties, trade unions, bar associations, civil rights organizations, journalists, and media associations reiterate that democracy and democratic rights are indispensable for the unity, peace, security, and prosperity of our beloved homeland. Among the most urgent challenges, we are concerned by the shrinking space and restrictions on freedom of speech and media—the primary ingredients for a vibrant democratic system and culture in Pakistan.

We believe Pakistan's categorization as a 'partly free' nation by Freedom House and ranking at 145 on the world press freedom index is symptomatic of not just the serious and long-term challenges in establishing a free democratic system and culture in the country. It also signifies, unequivocally, the quintessential and reinforcing relationship between a free media and an open democratic society wherein one cannot remain unaffected when the other is weakened. It is this understanding that underpins the importance and needs for a mutual effort by all sections of the democratic collective. The fate of our rights as citizens—freedom of speech being a primary right—and a vibrant democratic system are inexorably linked.

Cognizant of the historical and contemporary challenges and restrictions faced by citizens and journalists on freedom of speech and expression, this charter, the Charter of Freedom of Speech & Media in Pakistan (CoFSMiP), lays out the principle pathway for all key stakeholders to uphold and promote the cause of freedom of speech and expression in their respective roles as part of the larger civil society. As leaders and champions of civil liberties and upholding the freedom of speech as guaranteed in the constitution of Pakistan, we call upon all citizens to join us in helping promote and practice the right to free speech with mutual respect and dignity.

In reaffirming the constitutional right of freedom of speech in all its manifestations and modes, we are united in our commitment to upholding the principles of a truly democratic system without any exceptions. It is within the overarching democratic ideal that we believe and reaffirm our support for the freedom and independence of media. Reflected in the points elaborated in this charter we declare our support as representatives of our respective parties and organizations. In embracing the principle of freedom of expression and media as a fundamental and inalienable human right and a critical pillar of our democratic system and culture, we also reaffirm our commitment to support the democratic forces and actions regardless of our affiliation and association with individuals, groups, and organizations.

We believe that this charter will act as a foundation for the unity of the democratic forces and sections of the civil society that represent the true aspiration of a democratic country as envisioned by the founding father. Ruled by a common understanding and principle, this charter will cement and guide the future course of our actions in our different capacities reiterate that PFUJ considers itself as the guardian of Press Freedom and Free Speech in Pakistan and will never compromise on its principled stand. We will continue our struggle till the achievement of this goal. PFUJ is also committed to the safety and security (Physical, Job, Financial) of the journalists/media workers. We believe that for the media to flourish in the country, the federal and provincial governments have to see the media as allies in the work towards democratic progress and development in Pakistan. It is only when the government recognizes the importance of an independent, diverse and strong press as a cornerstone of democracy and works to facilitate media's freedoms, economic viability, and security, that we can collectively work towards a stronger and progressive Pakistan.

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A. Enabling Legal & Regulatory Framework for Free Speech & Independent Media

Committing to an inclusive and participatory approach in all legislation directly or indirectly impacting freedom of speech and media in the country, we hereby:

1. Support amendments in Articles 19 and 19-A to strengthen the freedom of expression and right of access to information.
2. Support review and repeal of any components repugnant to freedom of speech in all existing media regulatory laws including among others, Pakistan Electronic Media Regulatory Authority (PEMRA), Pakistan Electronic Crimes Act (PECA), and Pakistan Telecommunication Act (PTA).
3. Support review and adoption of a transparent and rule-based digital and print media licensing that inhibits monopolies in ownership and provides unhindered content that is inclusive and meets professional requirements.
4. Support the withdrawal of the 'Removal and Blocking of Unlawful Online Content Rules 2020', and 'Social Media Rules 2021' and revise them in consultation with key stakeholders including representatives from the journalist community and the larger civil society.
5. Strongly oppose the enactment of any new law and implementation of policies that are explicitly aimed at or have the potential for abuse of authority and control of freedom of speech and media and/or intimidation of journalists.
6. Support the call to repeal existing and halt any further registration of cases by the police and other law enforcing agencies against journalists under treason and Anti-Terrorist Act on false allegations and act against the responsible ones.
7. Support a transparent mechanism and punitive measures that inhibit any informal/illegal blockage and/or disruption of media channels, Social Media accounts/page/Twitter handles by any private or public entity/individual.
8. Support and pursue adoption and implementation of programs by the Federal and provincial governments for restoration of regional newspapers and uplift of local media through the equitable use of advertisements quota especially in the less developed districts.
9. Support and pursue the promotion and extension of local digital media for more locally-focused and inclusive content.

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B. Safeguarding the Rights of Journalists/Media Professionals

We also commit to making all possible efforts to support and uphold the rights of journalists through legal and administrative measures. We demand and express our resolve to work in our respective capacities to:

1. Support the enactment and enforcement of journalists' safety and security legislation and make comprehensive arrangements to ensure the security of life and property of journalists and media workers and to pursue those involved in killing and kidnapping of journalists during the last 20 years in the country.
2. Condemn, without discrimination, all acts aimed at the harassment of women Journalists, media workers, and anchors at the workplace and trolling on social media and commit to act and support devising a policy/strategy to curb harassment online.
3. Support and ensure strict implementation of laws, rules, and regulations for the safety and security of the female journalists, media workers, and anchors by the media houses and all relevant institutions.
4. Support the demand for establishing press clubs at the district headquarter level by the provincial governments.
5. Work as a priority for resolving the financial crisis in the media industry through an inclusive approach involving all stakeholders from the media industry, the relevant government ministries, and departments.
6. Support and urge to implement measures for the economic security of journalists and media professionals in consultation with media owners starting with the immediate stop to the retrenchments in return for public advertisement.
7. Support and call for the full implementation of the 2019 Wage Award for the Newspaper employees without any further delay and enforcement in letter and spirit, through an effective mechanism, including making government advertisements conditional with its implementation.
8. Support and pursue better working conditions for journalists and media professionals through regular surveys and assessments of media houses for compliance with labor standards and laws.
9. Support the demand for the urgent appointment of additional judges in the Implementation Tribunal for Newspapers Employees (ITNE), in all the provincial headquarters for speedy disposal of cases of newspaper employees.