INTERNET LANDSCAPE OF PAKISTAN 2017

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PREFACE

Internet Landscape of Pakistan is an indigenous effort to regularly monitor and document the ongoing trends and challenges that impact digital and human rights in the country. This is the third edition in the series.
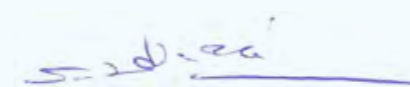
The dawn of 2017 brought many significant challenges and troubling trends in the existing internet landscape of Pakistan, where we saw blatant infringements on the fundamental freedoms including freedom of expression, access to information, peaceful assembly and of association, and the right to privacy.

As anticipated, terrible consequences emerged with the enactment of Prevention of Electronic Crimes Act, 2016. Several bloggers were abducted by the ghost perpetrators and many social media activists and journalists have been summoned by the investigation agencies for their online expression. This trend has cultivated an environment of fear, self-censorship and further strengthened the culture of impunity.

Over the course of last one-year, the increased access to the internet has also resulted in increased threshold of online crimes against social media users and political activists with dissenting voices. These include both the State and non-State actors' patronized crimes. Five bloggers and activists went missing in January 2017, and to date no one know about the real perpetrators. However, the bloggers after their release accused the State agencies' involvement behind their abduction.

Cyber armies hired and organized by different State and non-State actors is another phenomenon, which is being used as an effective tool to stifle expression and distort progressive narratives in online spaces. These cyber armies are involved hurling offline threats as well, especially targeting minorities and effectively suppressing political expression.

Bytes for All is extremely thankful to all its partners in civil society and tech community, who extended their timely support towards completion of this new edition of Internet Landscape of Pakistan. We look forward to your feedback for further improvements in the future editions.

Shahzad Ahmad
Country Director
Bytes for All, Pakistan

EXECUTIVE SUMMARY

With the introduction of 3G and 4G technology in the last couple of years, access to the internet has become easier and Pakistan has seen a drastic increase in internet users over the past year.

Pakistan currently stands 11th globally in terms of cellular subscribers. As of September 2017, cellular subscribers were around 140.76 million, which according to Pakistan Telecom Authority (PTA) stood at 70.25%.[1] However, internet dispersion is still low when compared to the world and the Asian average.

Civil society and digital rights groups are concerned about the passing of the Prevention of Electronic Crimes Act (PECA), which they fear will be misused by the authorities. While Pakistan continues to block pornographic websites, several other websites have become collateral damage during the process.

Online blasphemy still remains one of the biggest issues for freedom on the internet. At least five bloggers abducted in January this year were accused of blasphemy online and four of them had to flee the country. The government is currently in negotiation with the Facebook regarding "blasphemous content" present on the platform after an Islamabad High Court Judge in his remarks desired to ban social media if the issue was not resolved.[2] It has become increasingly dangerous to express dissent against the military and judiciary because of an organised crackdown by the Federal Investigation Agency (FIA)[3] on the directives of former Interior Minister Chaudhry Nisar Ali Khan who in a presser warned of taking strict action against those who were maligning military and judiciary on social media.[4]

Service providers are now immune from violations committed by their users, but they are also now required by law to retain traffic data for at least one-year and must cooperate with law-enforcement officials – from Federal Investigation Agency (FIA) as well as Inter-Services Intelligence (ISI) – to carry out court-warranted access to data and surveillance. This raises concerns about censorship and silencing of dissenting opinions with legal and social vigilantism.

The fears are worsened by the country's first death sentence for online blasphemy, a propaganda campaign calling for the hanging of four liberal internet activists during their "disappearance", and an advertisement campaign by the government asking citizens to report blasphemy on social media about the same time as the lynching of a university student over false blasphemy allegations. Media cells operated by rival political parties engage in highly charged online debates, but their criticism of the military led to a controversial crackdown by the FIA. Concerns related to the new internet laws led to a UN Human Rights Council's probe on internet rights in Pakistan.

Prone to international espionage and malware attacks – such as the Wanna-Cry ransomware cryptoworm attack that corrupted land record data in Punjab in May 2017 – the country still lacks a comprehensive data protection policy. Among the sources of attacks are hackers from India engaged in cyber warfare with hacker groups from Pakistan.

Two new submarine cable connections in less than a year have diversified Pakistan's connectivity, but two major countrywide service disruptions this year also show that the country's internet infrastructure is still fragile. Major disruptions in cellular services came from the government itself, which occasionally shuts off mobile networks in parts of the country as a safety precaution against terrorism.

Internet policy in Pakistan is overseen by the Ministry of Information Technology and Telecommunications, but FIA's new mandate to fight cybercrimes translates into the involvement of the Ministry of Interior, which was at the forefront of a campaign this year against social media content deemed blasphemous. In an unprecedented case, a counterterrorism agent engaged a Shia man in a religious debate under cover, resulting in a death sentence for the latter on charges of online blasphemy.[5]

The FIA was also accused of suppressing political opposition after it clamped down on internet campaigners for ridiculing the military. PTA too carried out an SMS campaign asking people to report cases of blasphemy on the internet. In the absence of a transparent set of rules the authority is still allowed to arbitrarily censor internet content.

1. According to PTA's latest figures, cellular teledensity stood at 70.25%. However, as per the results of recent census (2017), Pakistan's total population stood at 207.77 million, which means the teledensity is 67.75%.
2. Asad, M. (2017, 12 August). Islamabad High Court suggests making blasphemy law tougher to check its misuse. Dawn.com.
3. Khurshid, J. (2017, 8 June). SHC moved against crackdown on social media activists. The News.
4. ARY News. (2017, 23 May). Nisar warns against maligning army, judiciary on social media. ARY NEWS TV.

5. Al-Jazeera. (2017, 12 June). Pakistan: Death penalty for blasphemy on Facebook. AlJazeera.com

METHODOLOGY

9/11 and the wave of terrorist attacks since 2014 compelled a change in the extension of powers to different government institutions and authorities, which mandated the need for a research report which would deal with wider set of ongoing and emerging issues in the internet landscape.

Pakistan published a research report titled "Expression Restricted: The Account of Online Expression in Pakistan" in 2015 under the IMPACT project.[6] The objective of the report was to monitor and assess the state of freedom of expression (FoE) and the restrictions that were imposed by different sets of legislative and executive measures in Pakistan in online and offline spaces. However, the recently developed legislative framework has produced undesired consequences for the state of freedom of expression, association and assembly, and the right to information (RTI).

The research report found that there was an absence of legal measures and mechanisms for protection of freedom of expression, and pointed toward the need to address legal hurdles and restrictions such as stipulations in Article 19 and across various laws in the Pakistan Penal Code (PPC); many of these restrictions are against the spirit of International Covenant on Civil and Political Rights (ICCPR) and Pakistan's international obligations.[7]

Additional issues that required further investigation with respect to restriction on free expression were discussions on Baluchistan and Frontier Crimes Regulations (FCR). The latter laws exclude the region of FATA from being included in the judicial and legislative system prevalent across Pakistan. It was also noted that issues associated with the fragile political structure and national security threats faced severe and considerable restrictions. The report further found that journalists and bloggers faced significant threats of harm particularly if their expressions were religious in nature. The threats often consisted of accusations of blasphemy and death threats.[8]

The report highlighted another concern, which was the emerging trend and incorporation of counter-terrorism within legislation of criminal and penal laws which could potentially jeopardise civil liberties in online spaces. It also cited obstacles which inhibit the development of an effective freedom of expression, right to information and freedom of association and assembly (FoAA) narrative.

The report also brought to the fore the increase in hate speech related content against the most persecuted Ahmadi community in Pakistan in social media and on the web. It pointed to the near vacuum of counter-narrative to such hate speech and the need for protection of their civil liberties.[9]

The report's recommendations were targeted primarily at policy makers and potential stakeholders within the government, regulators and political parties. However, for the government these recommendations underscored and called for the review of laws to address ambiguity surrounding terms such as "decency", "morality" and "reasonable" across different legislation which could affect FoE online. Furthermore, it called on the federal government to meet its international obligations on FoE, FoAA, including compliance with the FoE recommendations in the previous Universal Periodic Review (UPR). Similarly, it urged the government to report to the Human Rights Committee in obligations under the ICCPR. It also called on the government to address the rising trend of the misuse of blasphemy laws, particularly 295-C. On internet governance, it recommended the government to adopt a multi-stakeholder approach involving civil society, media and other stakeholders for protection of internet-related human rights.[10]

For regulators, the report recommended the need for mechanisms to make public the list of blocked websites and the reasons justifying such action. It additionally suggested to the regulators the need for transparency when blocking content on the web, the need for maintaining access to communication at all times, and the need for the protection of journalists and bloggers by ending impunity and putting in place safeguards, measures and mechanisms for the pursuit of cases in a court of law. The report recommended implementing more lenient measures for blocking online content and the need for introducing transparent public mechanisms for unblocking content which would have been previously blocked.[11]

Lastly, the report urged political parties to include internet-related human rights as part of their manifestos and mandates when elected to the respective parliaments.[12] The current report "Internet Landscape of Pakistan 2017" serves as an extension and update of the 2015 report "Expression Restricted: The Account of Online Expression in Pakistan".

6.   Baig, A., & Khan, S. (2015). Expression Restricted: The Account of Online Expression in Pakistan.
7.   Ibid.
8.   Ibid.

9.   Ibid.
10. Ibid.
11. Ibid.
12. Ibid.

This new report deals with a wider set of ongoing issues in Pakistan. As a result, by applying the APC-La Rue Framework[13], Pakistan's internet landscape report critically studies different developments under different indicators by analysing case studies of prominence in the media.

Another reason to commission a study which deals with a wider set of issues is that the government enacted the Prevention of Electronic Crimes Act in 2016.

Despite several beneficial clauses, this legislation has produced instances of unreasonable application of law in certain areas, such as religious-associated expression in online spaces, and indiscriminate blocking of internet content from Pakistan and outside in tandem with previous legal provisions. It was important to document these developments in a report.

Moreover, different executive measures were exercised which resulted in temporary yet crucial loss of access to the internet and mobile services. "Access" was one area which was not included in the 2015 "Expression Restricted" report, however, the current "Internet Landscape of Pakistan 2017" report will present an in-depth analysis of internet access in Pakistan.

The report is based on extensive study as well as interviews with different stakeholders of internet governance in Pakistan.

Section 1

1.1   Access to the internet

In the 2015 report, internet penetration ranged from 10.8% to 17%. As of 2016, there were 34,342,400 internet users in Pakistan, which is 17.8% of the total population, marking an increase of 1.2% since 2015.[14] According to the CIA Factbook on Pakistan, the estimated internet penetration in Pakistan until July 2015 was 18%, as opposed to 10.8% in 2014.[15]

Pakistan is one of the least connected countries, as demonstrated by the global internet penetration figures, which stood at 46.1% in 2016.[16] The 17.8% penetration rate is too low, even when compared with the average penetration in Asia, which as of March 2017 is 45.2%.[17] A 2016 report by International Telecommunication Union (ITU) revealed that Pakistan, with 18% internet penetration, was among the least connected countries in the world, along with many African countries.[18]

The number of 3G and 4G subscribers in 2016 doubled in comparison to 2015[19] according to the PTA data, which shows 31.78 million subscribers, as opposed to 14.61 million in 2015. The latest figure by the Pakistan Telecommunication Authority (PTA) shows that the number of 3G/4G subscribers as of September 2017 is 48. million, which amounts to 22.6% of entire population.[20] This a significant increase when compared with the 2.6 million broadband subscribers quoted in the Internet Landscape Report of 2013.

By technology, 95.1% people were mobile broadband subscribers, remaining were connected through DSL, HFC, WiMax, FTTH, EvDO and other technologies. These stats suggest that since the launch of 3G and 4G mobile broadband, these technologies are becoming irrelevant with every passing day. In 2013-14, total number of broadband subscribers were around 3.8 million and most of them relied on EvDO, DSL or WiMax technologies. However, 3G/4G mobile broadband technology was launched in mid-2014, which changed the internet landscape of the country in terms of access expansion. The annual Wireless Local Loop (WLL) subscribers by the end of December 2016 were 375,653, while the Fixed Line Local Loop (FLL) density was 1.46%. By the end of 2016, the annual Fixed Local Line subscribers were 2,692,225. According to PTA figures, annual Cellular Mobile Teledensity in year 2016-17 was 70.25%, whereas accumulated annual Teledensity (Fixed, Wireless Local Loop and Mobile) was 71.75%[21].

13. APC. (2013, January). APC-La Rue framework for assessing freedom of expression and related rights on the internet. Association for Progressive Communications.

14. Internet Live Stats. Internet Users in the World.
15. Pakistan. The World Fact Book by Central Intelligence Agency.
16. Ibid.
17. Internet World Stats. Internet Users in the World.
18. Attaa, A. (2016, 25 July). Pakistan Among Countries With Lowest Internet Penetration: ITU. Propakistani.
19. Chaudhry, H. (2016, 24 August). 3G and 4G mobile internet users cross 30m milestone. Dawn.com.
20. PTA. (2017, September). Telecom indicators. Pakistan Telecommunication Authority.
21. PTA. (2017, September). Telecom indicators. Teledensity. Pakistan Telecommunication Authority.

[22]Pakistan's Minister of State of Information Technology, Anusha Rehman, announced in April 2017 that Pakistan would be the first country in South Asia to test 5G services. However, no practical steps have yet been taken in this regard.[23]

Pakistan Telecommunication Company Limited (PTCL) acts as a Pakistan's internet gateway and bridges the national internet traffic with international traffic through undersea cables, satellite links and terrestrial cables. Pakistan is linked with Middle East, Western Europe and Southeast Asia through SEA-ME-WE-III submarine fibre optic cable system[24].

According to PTA, Pakistan also established SEA-ME-WE-IV for international link improving through IMEWE and SEA-ME-WE-V. Transworld Associates Limited also established first ever private sector undersea fibre optic cable system, TW-1 connecting Pakistan with Oman and UAE. Another undersea fibre optic cable system is currently in the process of completion, called Asia-Africa-Europe (AAE-1). PTCL is also collaborating with a consortium of international telecommunication operators to execute this project.

Additionally, Pakistan is also constructing terrestrial fibre optic cable system in partnership with China, called Pakistan-China Optical Fibre Cable (PCOFC) project. This is being built under China-Pakistan Economic Corridor (CPEC) initiative, and which is feared that the objective behind this cable is to re-route entire internet traffic of Pakistan through China and culminate it in Rawalpindi at Special Communications Organization's (SCO) headquarter[25] and this would enable military to keep a check on internet communications of the citizens[26].

SCO is another government owned telecom operator, which is maintained by Pakistan military with limited mandate of providing communication services in disputed Azad Jammu & Kashmir (AJK) and Gilgit-Baltistan (GB) regions. During the course of time, SCO has expanded its services from only landline telephony to Wireless Local Loop (WLL), cellular mobile (GSM), broadband internet (DSL) digital cross connect (DXX), long distance and international (LDI) and domestic private leased networks (DPLN). However, due to its monopoly over business in the region and opposition competition in the sector, private telecom operators were not allowed to operate in these region until 2005 earthquake.

Considering people's plea that telecommunication services expedite rescue efforts during calamities, the government allowed private operators to provide mobile phone services in the regions. Recently, SCO had also made a request to the government to allow expanding its networks to all regions of the country, which was turned down by a parliamentary body.[27]

According to declared plan, the PCOFC will enter in Pakistan through Khunjarab Pass on Pakistan-China border and provide broadband connectivity to Gilgit-Baltistan region. Through this line, Pakistan will connect to Transit Europe-Asia Terrestrial Cable Network and will enable both the countries to have alternative routes for their international internet traffic.[28]

Pakistan has improved in-country fibre optic network connecting almost all cities and several rural areas in recent years, however, still a large population living in the far-flung areas is disconnected. The total length of fibre optic cable network, which is laid with the help of private operators in Pakistan is 22,300 Km. PTCL owns only 5,500 Km while remaining is installed by Wateen, Multinet and Link Direct, all private telecommunication companies.[29]

Pakistan offers a conducive, yet a competitive environment to private telecom investors to operate in the sector, yet the revenue generation from telcos is not as encouraging as it should be. According to State Bank of Pakistan's figures, share of net foreign direct investment in telecom sector in 2015-16 was 13% with $456,371 million revenues. The overall investment in telecom sector in same fiscal year remained $719.7 million, of which 91.6% was in cellular sector. However, in recent years the government opted the policy to further liberalize telecom sector, and announced auctioning of Next Generation Mobile Services (NGMS) broadband spectrum licenses in 2013.

In the region, Pakistan is among those countries who launched mobile broadband services quite late. It opened up the bidding process for selling out five broadband spectrums in April 2014 under all three internationally harmonized bands (2100 MHz, 1800 MHz and 850 MHz). Only the new entrants in Pakistan telecom market were eligible to place a bid under 850 MHz. The auction results were announced on April 23, 2014. Two blocks of 2x5 MHz and two blocks of 2x10 MHz were sold under 2100 MHz band. One of the foreign companies also secured more advanced block of 2x10 MHz under 1800 MHz band.

22. Yasin, A. (2017, 12 April). Pakistan to be the first country in South Asia to test 5G services. Dawn.com.
23. SEA-ME-WE: The Southeast Asia, the Middle East and Western Europe (SEA-ME-WE) is a submarine cable system linking South East Asia to Europe via the Indian sub-continent and Middle East.
25. Shahid, J. (2017, 25 January). Army seeks fibre optic cables along CPEC. Dawn.com
26. Siddiqui, Q.A., Haque, J. (2017, 3 October). Exclusive: The CPEC plan for Pakistan's digital future. Dawn.com

27. Restrictions on Freedom of Expression. Human Rights Watch. https://www.hrw.org/reports/2006/pakistan0906/5.htm
28. Dunya News. (2016). PM performs groundbreaking of Pak-China optic fibre project. http://dunyanews.tv/en/Pakistan/337436-PM-performs-groundbreaking-of-PakChina-optic-fibe
29. Information memorandum. The Award of 2100 MHz, 1800 MHz & 850 Mhz Spectrum. Pakistan Telecommunication Authority (PTA). http://www.pta.gov.pk/spectrumauction/im-010414.html

Another block of 2x10 MHz was sold in April 2016 under 850 MHz band. The government generated around $1.5 billion from these auctions. Recently, the government has also announced to hold auctioning of 3G/4G spectrums in AJK and GB regions.

Despite the fact, Pakistan has made some progress after launch of 3G/4G services available to its citizens, however, provision of quality services to citizens is still a huge hurdle in improving access to fast internet. OpenSignal, a private company specializes in wireless coverage mapping through crowdsources data on carrier signal quality from users, suggests in its annual report launched in June 2017 that Pakistan stood among the bottom five countries regarding 4G availability with score of 53.9%. The reason of this is because all mobile operators providing LTE and 4G services are only concentrating in urban area where their economic interests are maximum. (See Coverage Map).

In terms of speed, Pakistan is again among bottom 10 countries, however, much better than India, Iran and Sri Lanka in the region. Average 4G speed in Pakistan is 11.71 Mbps in comparison to 5.14 Mbps and 10.24 Mbps in neighbouring countries India and Iran respectively.[30]

The Freedom on the Net 2016 report by Freedom House ranked Pakistan's status as "Not Free" with an overall ranking of 69/100 on the scale of 0 (most free) to 100 (least free). Pakistan ranked 18/25 in terms of obstacles for citizens to access the internet, showing a little improvement from 2015 when the score was 20/25.[31]

According to Freedom House, the digital divide has persisted in Pakistan due to low literacy, difficult economic conditions and cultural resistance. Internet access for girls and women is increasing gradually, although online harassment serves as a deterrent for women to use the internet.[32]

As per the Pew Research Center, 20% of the internet users in Pakistan agreed that internet was a good influence in a Pew Global Attributes Survey published in 2015. Meanwhile, 31% of the respondents felt it was a bad influence and 43% had refused to answer the question. Pakistan was ranked to be the lowest among the 32 countries surveyed where internet was thought to have a good influence on politics, economics, education and personal relationships.[33]

Section 2
1.2   Blocking and Filtering

The Pakistani government continues to censor content available online with a specific focus on blocking supposedly pornographic, blasphemous and anti-state content.[34] According to latest analysis of Pakistan's network jointly done by Bytes for All, Pakistan and Open Observatory for Network Interference (OONI), 210 URLs were detected as blocked in Pakistan. Most of these included websites related to "Draw Mohammad Day" campaign, pornographic expression, and expression of ethnic minorities such as Baluch.[35]

The National Assembly of Pakistan passed the Prevention of Electronic Crimes Act (PECA) on 11 August 2016 after the Senate unanimously passed it on 29 July with 50 amendments. While members of opposition parties criticised the bill, suspecting the authorities would misuse it, the IT Minister Anusha Rehman rejected the criticism from NGOs as having "a certain agenda"[36].

PECA has been criticised by digital rights activists for being too vague and ambiguous. Section 34 of PECA empowers the Pakistan Telecommunication Authority (PTA) to "remove or block... information through any information system if it considers it necessary in the interest of the glory of Islam or the integrity, security or defence of Pakistan or any part thereof, public order, decency or morality, or in relation to contempt of court or commission of or incitement to an offence under this Act"[37].

Before the enacting of PECA, telecommunications policy approved in 2015 uses similar language regarding the blocking of content. The 2016 Freedom on the Net report notes: "Section 9.8.3 states that the PTA will be enabled to 'monitor and manage content including any blasphemous and pornographic material in conflict with the principles of Islamic way of life as reflected in the Objectives Resolution and Article 31 of the Constitution' as well as material that is considered to be 'detrimental to national security, or any other category stipulated in any other law.[38]"

30.   OpenSignal. (2017, June). The State of LTE. https://opensignal.com/reports/2017/06/state-of-lte
31.   Freedom House. (2016). Pakistan. Country Profile.
32.   Ibid.
33.   Pew Research Center. (2015, 19 March). Internet Seen as Positive Influence on Education but Negative on Morality in Emerging and Developing Nations.

34.   Human Rights Watch. (2017, 26 May). Pakistan: Internet Crackdown Intensifies.
35.   Baloch, H., Xynou, M., Filasto, A. (2017, 18 October). Internet Censorship in Pakistan. Findings from 2014-2017). Bytes for All, Pakistan (B4A) & Open Observatory of Network Interference (OONI).
36.   OpenSignal. (2017, June). The State of LTE. https://opensignal.com/reports/2017/06/state-of-lte
37.   Freedom House. (2016). Pakistan. Country Profile.
38.   Ibid.
36.   Khan, R. (2016, 11 August). Cyber-crime bill passed by NA: 13 reasons why you should be worried. Dawn.com.
37.   National Assembly. (August 2016). Prevention of Electronic Crimes Act, 2016. NA.
38.   Ibid.

The FotN (Freedom on the Net) report also discusses state and non-state actors exerting extra-legal pressure on content producers to take down content in online spaces. The report notes that a blanket ban on pornographic, allegedly blasphemous and anti-state content has resulted in blocking of several legitimate websites as well.

A localised version of YouTube with the domain www.youtube.pk was launched last year in January after remaining blocked for years. According to PTA, the block was lifted after Google provided a process through which the offensive content could be reported directly to the company, which would be obliged to restrict it.[39] Digital rights activists expressed their concerns regarding the government's agreement with Google to restrict certain content.

In a statement, Bytes For All said: "The enactment of this law criminalises a wide range of speech online, including legitimate political and religious expression, with harsh prison sentences and fines. It also gives broad and sweeping powers to the government and law-enforcement agencies to surveil on citizens and censor their online expression, with little recourse for appeal."[40]

Facebook also complies with the government's requests to block online content. This compliance has shown a rapid increase. From June 2014 to December 2014, 42% of the requests out of the total 100 were censored. Comparatively, from July 2016 to December 2016, the government sent 1,002 requests for compliance, of which 67.56% were accepted by Facebook, showing an increasingly frequent cooperation between the government of Pakistan and Facebook.[41] A Facebook team visited Pakistan recently and held meetings with then Interior Minister Chaudhary Nisar Ali Khan over resolving the issue of blasphemy on Facebook. However, the team did not meet with any civil societies to address their concerns. Five social media activists and bloggers went missing in January this year. Among them were Salman Haider, Ahmad Waqas Goraya, Aasim Saeed, Ahmed Raza Naseer and Samar Abbas.[43] The Guardian reported that the missing activists had "outspoken, secular and anti-military views".[44]

Right after the news of their abduction emerged, they were accused by certain websites and social media pages of having committed blasphemy and Twitter trends like #HangSalmanHaider called for their heads.[45] One of the bloggers – who was released after 21 days – accused the country's military of having planned and executed their abduction.[46]

The abduction of bloggers was the start of the state-sponsored crackdown on social media. A judge at Islamabad High Court warned to ban all social media if the blasphemous content was not removed.[47]

In the past, Pakistan has blocked several websites citing similar reasons. In 2014, Twitter blocked "blasphemous content" upon the request of the Pakistani government. The decision, however was revoked a month after the mounting criticism by rights activists due to the "absence of additional clarifying information from Pakistani authorities."[48] Around the same time, Facebook also blocked Pakistani users from accessing several left-wing pages, and that of a rock band, Laal.[49]

In 2015, Pakistani authorities reportedly blocked WordPress, as the users were unable to access it through major ISPs, causing uproar among the public. Pakistan Telecommunication Authority did not confirm at the time if the website had been blocked officially.[50]

The government placed Pakistan Telecommunication Authority, along with several other regulators under the control of relevant ministries. However, the notification was later revoked by the Islamabad High Court.[51]

Pakistan Telecommunication Authority was given the power to block online content after the Islamabad High Court banned the controversial Inter-Ministerial Committee for Evaluation of Websites (IMCEW).

39. BBC. (2016, 18 January). Pakistan unblocks access to YouTube. BBC.
40. Bytes for All. (2016, 8 November). Pakistan's new cyber-crime law set to raise havoc for political expression and religious expression.
41. Facebook. (2017). Government request reports. Pakistan.
42. ARY News. (2017, 16 March). Facebook team to visit Pakistan to discuss blasphemous content issue. ARY News.
43. IFEX. (2017, 10 January). Four bloggers, social media activists go missing. IFEX.
44. Boone, J. (2017, 10 January). Disappearances spark fear of crackdown on leftwing dissent in Pakistan. The Guardian.

45.   Shams, S. (2017, 16 January). From 'abduction' to blasphemy allegations – What's in store for Pakistan's missing activists? Deutsche Welle.
46. BBC. (2017, 9 March). Pakistan activist Waqas Goraya: The state tortured me. BBC.
47. Shehzad, R. (2017, 7 March). Blasphemy: IHC directs authorities to block all social media if necessary. Express Tribune.
48. AFP. (2014, 18 June). Twitter restores access to block content in Pakistan. (June 18, 2014). Dawn.com
49. Walsh, D., & Masood, S. (2014, 6 June). Facebook under fire for temporarily blocking pages in Pakistan. The New York Times.
50. Dawn. (2015, 23 March). Blogging website WordPress blocked? Dawn.com.
51. Asad, M. (2017, 28 March). IHC orders regulators out of ministries' control. Dawn.com.

For years, IMCEW, represented by several ministries and security agencies was responsible for determining the content that was to be blocked in Pakistan. Neither the names of its members, nor the details of its operations were ever made public.[52]

PTA was directed in 2015 to formulate a web content management mechanism. Its purpose was ensuring the basic rights of citizens and "the participation of relevant stakeholders in evaluation of complaints and decisions thereon will be ensured. A mechanism for redressal of grievances for affected users will also be provided. To ensure effectiveness of the content management system, PTA will also adequately strengthen its web monitoring cell"[53]. However, little is known about the extent to which PTA follows these directives due to lack of transparency.

As the government increasingly attempts to censor content online, the Pakistani public is generally against unbridled access to the internet, especially when it comes to matters related to religion. A 2015 Pew Global Attitudes survey on freedom on the internet found out that only 25% of Pakistanis supported an uncensored internet, making the censor's task easy.[54]

1.2.1 Pornography

Pornographic content remains officially blocked in Pakistan under the Pakistan Telecommunications Act of 1996 which orders blocking of all sorts of content vaguely defined as "obscene".

After a Supreme Court order to block all websites having "obscenity and pornography that has an imminent role to corrupt and vitiate the youth of Pakistan", the PTA instructed ISPs in January 2016 to block 400,000 "offensive" websites at the domain-level.[56]

A news report explaining this blanket ban said: "Like Tumblr, most of the list comprises sites blocked at the domain level i.e. all pages hosted on the domain would be blocked, rather than blocking specific content or pages hosted on a domain."[57]

Digital rights activists have expressed their concern on such a ban. Some believed the ban was based on keywords and it was entirely possible that many other websites appearing on these keywords could also be blocked.

In April 2017, the FIA arrested a man in Sargodha for filming child pornography for a client based in Norway. The action was taken after the Norwegian Embassy informed the FIA through a written letter.[58]

Due to the websites being blocked at domain level and through keywords, several websites not remotely connected to porn have also been blocked by PTA and due to the lack of transparency, very little is publicly known about the process.[59]

1.2.2 Blasphemy

The crackdown on allegedly blasphemous content online has continued in the last year and has now expanded to offline spaces as well. The trend which started in 2003 has seen a large number of websites blocked. Among them were social media giants like Twitter, Blogspot, YouTube and Facebook.

Five bloggers who were abducted in January 2017 were accused of operating an allegedly blasphemous page titled "Bhensa". An online campaign directed towards them asked for their hanging.[60] Four of the individuals, after their release, immediately left the country due to fear for their lives.[61] During their abduction, some reports suggested that the bloggers would be charged for blasphemy, but the interior minister Chaudhry Nisar denied these reports and denounced the blasphemy allegations against them.[62]

In March 2017, FIA arrested three individuals in a case related to online blasphemy.[63] After their arrest, Twitter hashtag #HangAyazNizami started trending in Pakistan.[64] Mashal Khan, a journalism student at Abdul Wali Khan University, Mardan was lynched to death by his fellow university students over an accusation of committing blasphemy on his social media profile.[65]

52. Haque, J. (2016). Pakistan's Internet Landscape 2016. Bytes for All.
53. Haider, M. (2015, 21 March). PTA given powers for content management on internet. The News.
54. Wike, R., & Simmons, K. (2015, 18 November). Global Support for Principle of Free Expression, but Opposition to Some Forms of Speech. Pew Research Center.
55. National Assembly. (1996, October). Pakistan Telecommunication (Re-organization) Act 1996. NA.
56. AFP. (2016, 26 January). Govt orders 400,000 porn sites blocked. Dawn.com.
57. Haque, J. (2016, 25 May). Pakistan's impossible attempt to block 400,000 porn websites continues. Dawn.com.

58. Tahir, Z. (2017, 13 April). Sargodha man planned to take children to Norway to film pornographic videos: FIA. Dawn.com.
59. Ibid.
60. Radio Free Europe/Radio Liberty. (2017, 19 January). Missing Pakistani activists hit by 'malicious' blasphemy charges, families say.
61. Zahra-Malik, M. (2017, 29 January). Second missing Pakistani blogger found, leaves country fearing for life: family. Reuters.
62. APP. (2017, 20 January). Propaganda against missing bloggers angers Nisar. Dawn.com.
63. ami, A. (2017, 24 March). FIA arrests three in social media blasphemy case. Dawn.com.
64. Twitter. (2017). Hashtag Hang Ayaz Nizami.
65. Rasmussen, S. E., & Baloch, K. (2017, 26 April). Student's lynching sparks rare uproar in Pakistan over blasphemy killings. The Guardian.

It was subsequently revealed that his murder was planned by some university insiders who were not happy with Mashal Khan's criticism of the university administration.[66]

In the 2016 Freedom on the Net report by Freedom House noted that social media users exercised extra caution and self-censorship while opining on the matters related to religion and blasphemy. The blasphemy cases, which can be reported by any citizen against another, are often used to settle personal scores; digital media has become the most popular platform for that.[67]

In September 2016, a 16-year-old boy was arrested from Sheikhupura over allegedly sharing a derogatory picture of a Muslim holy place. He remains in jail (September 2017).[68] Similarly, a first information report was registered against Shaan Taseer – a human rights activist and son of the slain governor Punjab Salmaan Taseer for alleged "hate speech" after he sent out Christmas greetings in a video message.

Sunni Tehreek, a Barelvi group associated with Mumtaz Qadri requested Shaan Taseer be booked under Section 295-A of the Pakistan Penal Code (PPC).[69]

Rights activists believe the state's hunt against alleged blasphemers online has resulted in increased mob violence. Millions of Pakistanis were sent text messages by the PTA, warning them against sharing "blasphemous content" online and encouraging the public to report such content immediately to PTA.[70]

A spokesperson of PTA revealed that the messages were sent out on the court's orders. Judge Shaukat Aziz Siddiqui of the Islamabad High Court had earlier threatened to ban social media if the issue of blasphemy was not resolved. He ordered to constitute a "Muslim-only" Joint Investigation Committee to probe into the issue of blasphemy.[71]

With these statements by a senior judge, followed by the action taken against alleged blasphemers, the risk of emboldening the extremists to take the law in their own hands can increase.

1.3 Intermediary liability

Service providers in Pakistan are no longer liable for civil or criminal violations committed by their users, unless there is evidence that they made a wilful attempt to participate in those offences.[72] The burden of proof, if such an allegation is made, is on the accuser, according to the new Prevention of Electronic Crimes Act of 2016.[73] If a service provider is made aware of an investigation against a client, it can notify the user after a gag period of 14 days, that a court can extend, and has the legal right to disclose any user data for such a probe.

Importantly, intermediaries are under no obligation to proactively monitor the content they host or transmit for their users to ensure no law is being violated, as long as they provide their service "in good faith".

In the past, Pakistani authorities have banned popular international online platforms entirely because of their inability to regulate offensive content.[74] A court hearing a petition against the 2012 ban on YouTube was told that its parent organisation the Google would not incorporate in Pakistan because there were no laws to protect online platforms from being held liable for any offences committed by their users. The court offered to issue a temporary order assuring the company of limitation of liability until laws were made,[77] but YouTube launched a localised version months before the new law was passed, bypassing the concern of intermediary liability with a mechanism to allow PTA to send censorship requests directly to the Google.[76]

1.4 Net neutrality

Pakistan's internet laws do not protect net neutrality. It is not clear if the country's competition laws or consumer rights protections can safeguard against discriminatory practices by internet service providers.

Some of Pakistan's cellular service providers offer controversial Facebook-led services like Free Basics and Facebook Zero, which have raised net neutrality concerns elsewhere in the world.[77]

66. The Nation. (2017, 4 June). Mashal Khan's murder was pre-planned: JIT report. The Nation.
67. Ibid.
68. Ghyas, S. (2016, 19 September). Blasphemy law: Nabeel Masih, a Christian teenager, has been arrested for liking the Kaaba's picture on Facebook. The Nation.
69. Tanveer, R. (2017, 31 December). Shaan Taseer booked for hate speech following Christmas message. Express Tribune.
70. AFP. (2017, 10 May). Millions of Pakistanis receive blasphemy warning texts. Times of India.
71. AFP. (2017, 9 March). IHC judge threatens to block social media over 'blasphemy'. Newsweek Pakistan.

72. Ibid.
73. Ibid.
74. Dawn. (2017, 21 June). Could it happen again? Remembering Pakistan's Facebook, YouTube ban. Dawn.com.
75. Jajja, S. (2013, 15 May). YouTube ban: Google to appear before Lahore High Court. Dawn.com.
76. Junaidi, I. (2016, 19 January). YouTube returns to Pakistan. Dawn.com.
77. Vincent, J. (2016, 8 February). Facebook's Free Basics service has been banned in India. The Verge.

Mobilink's Jazz service offers Facebook Zero,[78] which allows free access to a text-only version of the social media giant's website. Free Basics – a service that allows free access to a selection of websites, not including those of Facebook's rivals – is offered by Telenor[79] and Zong.[80] Ufone, the only remaining mobile phone service provider, offers free access to specific web services as part of its data packages.[81]

Unlike in the neighbouring India, where Facebook had to pull the Free Basics service amid controversy, there has been little debate on net neutrality in Pakistan.[82]

1.5 Network disconnections

By 2016, Pakistan was connected to four submarine cables through two operators with landing rights. PTCL was linked to Sea-Me-We-3 (with a design capacity of 480gbps), Sea-Me-We-4 (1.28tbps) and I-Me-We (3.86tbps), while Transworld Associates (TWA) was connected to the 1.28tbps submarine cable TW1.[83] TWA enhanced its capacity significantly with the completion of Sea-Me-We-5 in December 2016. It was part of a 16-company consortium that built the cable with a capacity of 24tbps.[84]

5 July 5 2017, after several days of trouble at TWA, the resulting shift in its traffic to PTCL caused a brief disruption. A day later, on 6 July, a cable fault in Sea-Me-We-4 resulted in a countrywide slowdown. (A breakdown in Sea-Me-We-4 had caused a similar countrywide congestion in June 2015).[85] PTCL claimed it was able to solve the problem in a day.[86]

This was possible because around the same time, the operator had connected to the new 40tbps submarine cable AAE-1, seen as part of the one-belt-one-road initiative.[87]

Work on a project to bring a fibre-optic cable via a land route from China, part of the larger Pakistan-China-Economic-Corridor program, began in 2016.[88]

5 August 2017 damage to the I-Me-We cable near Jeddah slowed down internet services across the country for hours.[89] Disruptions were also reported because of inland fibre-optic cable breakdowns. A network outage at PTCL, because of a cable fault within Pakistan, resulted in a drop in internet speeds and some service outages for customers of PTCL and Ufone in December 2016.[90]

In June 2017 internet, telephone and ATM users in Chiniot and nearby towns were left without services for hours after PTCL cables were damaged.[91]

It has now become a standard practice for government authorities to temporarily shut down mobile phone services in various parts of Pakistan as a security precaution, especially on occasions of religious or national gatherings prone to terrorist attacks.

In most parts of FATA, where the military is still campaigning against the Taliban and other militant groups, mobile phone services were shut down for security reasons on 15 March 2017 and had not been reopened by July,[92] when the federal government announced it would restore connectivity in phases.[93]

In Islamabad and Rawalpindi, cellular phones were suspended on Independence Day and musical concert,[95] and were shut down without prior warning several times ahead of Pakistan Day (23 March) military parade, since the rehearsals of the event are also a likely terrorist target.[96]

78. Mobilink Jazz. Free Facebook Zero.
79. Telenor. Free Basics Offer. Freebasics.com
80. Zong. Facebook Flex Offer.
81. Ufone. 3G prepaid tariff.
82. Doval, P. (2016, 11 February). Facebook withdraws the controversial 'Free Basics' platform from India. GadgetsNow.com.
83. Baloch, F. (2015, 8 March). Broadband connectivity: New cable to provide faster access for consumers, businesses. Express Tribune.
84. TR Pakistan. (2016, 19 December). Pakistani internet bandwidth to increase by 24Tbps. Dawn.com.
85. GEO. (2015, 25 June). Fault in submarine cable impacts internet services in Pakistan. The News.
86. Attaa, A. (2017, 7 July). After Cable Cut, Internet in Pakistan is Back to Normal: PTCL. ProPakistani. https://propakistani.pk/2017/07/06/internet-slow-due-submarine-fault-ptcl
87. APP. (2017, 2 July). AAE-1 submarine internet cable linking Asia, Africa and Europe starts operations. Dawn.com.

88. CPEC. (2017). China Pakistan Economic Corridor. CPEC projects progress update. Government of Pakistan.
89. Doval, P. (2016, 11 February). Facebook withdraws the controversial 'Free Basics' platform from India. GadgetsNow.com.
89. Shahid, J. (2017, 6 August). Undersea cable fault strangles internet services. Dawn.com.
90. Rehman, D. (2016, 26 December). Technical fault in PTCL fibre optics causes massive Internet outage across Pakistan. Daily Pakistan.
91. The Nation. (2017, 19 June). Damage to fibre cable disrupts telecom services. The Nation.
92. MENAFN. (2017, 18 June). Pakistan - Suspension of mobile phone services creates problems for tribesmen. MENAFN.
93. MENAFN. (2017, 9 July). Pakistan - Govt decides to restore cellular, internet services in Fata. MENAFN.
94. he News. (2016, 12 August). Mobile phone services to be suspended in Islamabad on August 14. The News.
95. DRM. (2017, 23 October). Mobile network shutdown in part of Rawalpindi/Islamabad due to a 'musical concert'. http://digitalrightsmonitor.pk/mobile-network-shutdown-in-parts-of-rawalpindiislamabad-due-to-a-musical-concert/
96. Dawn. (2017, 20 March). Blackout of mobile phone services irks Islamabad, Pindi residents. Dawn.com.

The practice is now a typical part of security plans in various parts of the country on days of religious commemorations, such as the 9th and 10th of the month of Muharram, [97] [98] Youm-e-Ali,[99] and Chehlum,[100] when Shia gatherings are especially vulnerable to terrorist attacks.

The government argues that it has a legal right to suspend cell phone services for reasons of security of citizens, in line with section 54 of the Pakistan Telecommunications (Reorganization) Act of 1996, which allows it to "exercise-preference and priority" in order to ensure "defence and security of Pakistan".

An Islamabad High Court judge hearing a plea against the practice remarked in January 2017 that the provision is specific to when a state of emergency has been declared.[101]

In the past, authorities in Islamabad have used the measure to stop controversial cleric Abdul Aziz from addressing worshippers on Fridays[102] and to disperse a crowd of protesters from religious groups who sat in for days in the capital's highly secure Red Zone.[103]

1.6 Data Protection

As Pakistan waits for a robust data protection law promised by the government, violations of individual privacy and stealing of business data are addressed by the 2016 law against cybercrimes. After government departments were hit by a ransomware attack in May this year, concerns were raised about a broader initiative to better protect government and citizen data.[104]

Land record services were suspended in Punjab after a global ransomware cryptoworm attack in May corrupted the government department's information system.[105]

This was seen as a matter of concern in a country where the government keeps large-scale biometric data of all its citizens. According to Digital Pakistan Policy, an agenda document released this year, concerns about privacy and security of sensitive government data could both be addressed with a comprehensive data protection law.[106] The minister for information technology promises the proposed law will balance individual privacy concerns with business interests.[107]

Meanwhile, the Prevention of Electronic Crimes Act, 2016 criminalises unautho-rised access to and copying of data and unauthorised interception of electronic communication.[108] Jail terms and fines are harsher if the hacker targets "critical infrastructures".

However, these provisions are also restrictive of journalists' and researchers' investigative work where they heavily rely on critical information, yet of public interest would be coming out of the government's departments through inside sources.

1.7 Surveillance and lawful interception

Although privacy is a fundamental right under Pakistan's constitution, and the country's law now requires a court to warrant any surveillance required for investigation of crimes, there are deep concerns about surveillance by government agencies.

Real-time collection of data to investigate an offence requires permission by a court, according to Section 36 of the Prevention of Electronic Crimes Act, 2016.[109] The specific offence and the type of data required need to be identified upfront, and there needs to be an assurance that privacy of other users will not be violated. The surveillance can be carried out for a maximum of seven days, unless a new permission is sought from the court. Unauthorised disclosure of someone's personal information may result in a prison sentence and fine unless the service provider or officer who obtained the information prove they were acting in good faith. Section 39 of the law allows the government to share information, electronic communications, or evidence with foreign governments, agencies and organisations, apparently without judicial oversight.

97.   The News. (2016, 10 October). Mobile phone services to be suspended in KP on 9-10 Muharram. The News.
98.   Mansoor, H. (2016, 30 September). Govt. decides to suspend cell phone, internet services on Ashura. Dawn.com.
99.   Geo News. (2017, 16 June). Sindh bans pillion riding, mobile services on Youm-e-Ali. Geo TV.
100.   Geo News. (2016, 21 November). Chehlum security: Mobile phone services restored in Karachi. Geo TV.
101. Shehzad, R. (2017, 18 January). Connection interrupted: Cellular services can only be suspended in 'emergency'. Express Tribune.
102. Dawn. (2015, 19 December). Mobile signals suspended for third Friday now. Dawn.com.
103. Ali, I., Haider, I., & Bhatti, H. (2016, 28 March). Nearly 2,000 pro-Qadri protesters continue sit-in outside Parliament. Dawn.com.
104.   Dawn. (2017, 29 May). Data protection. Dawn.com.
105.   Butt, W. A. (2017, 22 May). Virus attack: Land record services suspended in Punjab. Dawn.com.

106.   Ministry of Information Technology. (2017). Digital Pakistan Policy 2017. Government of Pakistan.
107.   Ahmadani, A. (2017, 5 April). IT ministry to introduce DPA within three months. Pakistan Today.
108.   Ibid.
109.   Ibid.

Service providers are required to retain traffic data for at least one-year (or more, if the Pakistan Telecommunications Authority asks), under the new law. But investigation agencies require a court warrant to access such data.

The government had initially put the civilian investigation agency, FIA in charge of investigation of cybercrimes, but in October 2016, it allowed the military spy agency ISI the same powers.[110] In the middle of a drawn out war against terrorism with tech-savvy opponents, the government argues that it needs to carry out electronic surveillance to ensure security. But there are concerns that the vague words of the law will give them the right to suppress dissent.[111]

A 2013 report by Privacy International had said the ISI wanted to build a robust mass surveillance system, spanning across platforms, matching those of the US and the UK, with direct access to submarine cables.[112] Pakistan had procured surveillance tools from seven international companies for the purpose, including the German surveillance technology vendor Trovicor and its parent company Nokia Siemens Network. Outed emails hosted on WikiLeaks show Pakistan had discussed buying surveillance equipment from an Italian company that calls itself The Hacking Team.[113]

But it was their rival German company FinFisher whose surveillance software was found to be operating in the country by a forensic probe by The Citizen Lab in April 2013.[114] Another report by the same organisation said Pakistan's PTCL was using Canadian packet-filtering software Netsweeper to filter websites with a technology that can also be used for surveillance.[115] The secrecy of these efforts has caused concern among digital rights activists.

1.8 Social surveillance and vigilantism

In March 2017, a countrywide newspaper ad campaign by the FIA appealed to citizens to submit evidence of blasphemy carried out on social media.[116]

Weeks later, a mob consisting largely of university students in Mardan beat up and lynched a journalism pupil on campus over false allegations of online blasphemy.[117] The next month, millions of Pakistanis received text messages[118] and saw newspaper ads[119] from PTA asking them to report incidents of blasphemy on social media. The campaign had been ordered by the Islamabad High Court, and caused concerns about "state-sponsored vigilantism".[120]

In July, a court sentenced a man to death for committing blasphemy on the Facebook in the first such case in the country's history, after an undercover counterterrorism agent engaged him in a debate.[121] Months earlier, four liberal bloggers who were believed to be abducted by state security agencies in January, were the target of a mass scale smear social media campaign in their absence, making unverified blasphemy allegations and asking for their death.[122]

A report by another digital rights organisation released this year found that female journalists faced gendered surveillance from the state and society. The social surveillance was frequent, and led to abuse including sexualised threats as well as attacks based on appearance and character.[123]

Amid fears of a rise in vigilantism in Pakistan in general,[124] there are concerns that mob behaviour on the internet can be especially serious, because unverified allegations travel fast on social media, and access to and spreading of personal information is easy.[125]

110. Gishkori, Z. (2016, 20 October). National security issues: Govt accepts ISI's role in checking cyber-crimes. The News.
111. Shah, B. (2016, 24 November). The vagaries of Pakistan's cybercrime law. Al Jazeera.
112. Rice, M. (2015). Tipping the scales: Security and surveillance in Pakistan. Privacy International.
113. Haque, J., & Rehman, A. (2017, 22 June). Hacking Team hacked: The Pakistan connection, and India's
114. Marquis-Boire, M. et al. (2013). For their eyes only: The commercialization of digital spying. The Citizen Lab.
115. Dalek, J. et al. (2013). O Pakistan, we stand on guard for thee: An analysis of Canada-based Netsweeper's role in Pakistan's censorship regime. The Citizen Lab.

116. The Nation. (2017, 11 March). FIA releases ads against 'social media blasphemers'. The Nation.
117. RT. (2017, 15 April). 'Skull caved in': Pakistani journalism student beaten to death for 'blasphemy'. RT.
118. RT. (2017, 11 May). Millions of Pakistanis sent govt blasphemy warning by text. RT.
119. Pakistan Telecommunication Authority. Government of Pakistan.
120. Ahmed, A. (2017, 17 July). Blasphemy: The Unpardonable Offense. LobeLog Foreign Policy.
121. Rasmussen, S. E., & Wong, J. C. (2017, 22 July). Facebook was where Pakistan could debate religion. Now it's a tool to punish 'blasphemers'. The Guardian.
122. Shams, S. (2017, 16 January). Op. cit.
123. Ibid.
124. Kamal, D. (2017, 21 May). The rise of vigilantism in Pakistan. The Citizen.
125. Dad, N. (2014, 26 November). Mob rule, vigilante behaviour and blasphemy in Pakistan's digital age. TechPresident.

1.9 Cyber Armies

What is referred to as cyber warfare between hacker groups from India and Pakistan continues,[126] with a Pakistani group claiming to have hacked more than 7,000 Indian websites in October 2016.[127] In April 2017, after Pakistan sentenced to death an alleged Indian spy, an Indian group claimed they had taken over 30 websites belonging to the Pakistani government.[128] A Pakistani group of hackers claimed to have defaced 10 Indian websites[129] Indian hackers claimed to have hacked 500 Pakistani websites in response and said they would continue the assault.[130] The claims cannot be verified. On Pakistan's 70th Independence Day – 14 August 2017 – Indian hackers defaced websites belonging to several government ministries, and placed pictures of the Indian military and the Indian flag on them.[131]

"Suspected Pakistani and Chinese hackers" targeted midlevel Indian military officers in a malware attack in May 2017, using a phishing email that offered them a course in Sri Lanka.[132] The Indian home ministry warned android smartphone users in the country to delete four applications that they claimed Pakistani agencies were using to spy on Indians.[133] They included a gaming app named Top Gun, an entertainment app titled Talking Frog, and music and video apps Mpjunkie and Bdjunkie.

Political parties in Pakistan organise their own internet corps or cells, which engage in political attacks, push certain positions and narratives in social media, or participate in hashtag wars.[134]

Little is known about how they operate, but a news report in September 2017 claimed that the PML-N's Strategic Media Communications Cell – set up in 2014 to counter similar tactics by their rival PTI – has 38 employees and volunteers and more than 250 official members.[135]

In May 2017, when a disagreement between the military and the government ended in reconciliation, supporters of PTI began a social media campaign very critical of the army, leading to a controversial FIA crackdown against tens of social media users[136] including members of PTI's social media force.[137] Two members of the PML-N media cell were also questioned by the authorities.[138]

1.10 Cyber attacks

Pakistan's new electronic crimes law criminalises hacking, but with its vulnerable cybersecurity, the country is prone to international cyber-espionage and is one of the top targets of malware in the world.[141]

Unauthorised access to information systems or data, and unauthorised copying of data, are crimes under the new PECA 2016.[142] Unauthorised interference with an information system or data, which covers denial of service attacks, is also punishable by jail time and fines. The sentences are harsher for attacks on "critical infrastructure". Writing, distributing and using malicious code is a separate offence in the law. But most of Pakistan's ISPs may not be capable of dealing with Distributed Denial-of-Service (DDoS) attacks in a sophisticated way, and its law enforcement is seemingly incapable of tracing hackers who use proxies.[143]

Amid growing reports of hacking, impersonation, harassment and blackmail on social media, especially targeting women,[144] the new law addresses not just electronic fraud and identity theft, but specifically criminalises what it calls offences against the dignity and modesty of people.

These include intimidation using sexually explicit imagery, posting superimposed or actual sexually explicit imagery of someone, or cultivating someone to engage in a sexual act.[145] The sentences are harsher if the victim is a minor. In July 2017, a man from Peshawar was jailed for an unprecedented 12 years for blackmailing a woman on Facebook after creating a fake Facebook profile in her name.[146]

126.   Shukla, P. (2017, 14 August). India-Pakistan Gear Up For Cyber Wars This I-Day. Business World.
127.   Kumar, C. (2016, 5 October). 7,000 Indian sites hacked, claim Pak rookies. Times of India.
128.   Mail Today. (2017, 25 April). Indian hackers take down 30 Pakistan govt sites to avenge Kulbhushan Jadhav. Business Today.
129.   Arora, K., & Ibrar, M. (2017, 27 April). It's just a trailer, says Pakistani hacker group that defaced 10 Indian websites. The Economic Times.
130.   NewsX. (2017, 26 April). Indian hackers cripple more than 500 Pakistan government websites; aveng Jadhav's penalty. NewsX.
131.   Ahmed, Z. (2017, 15 August). Indian hackers deface numerous Pakistani ministries websites. PakWired.
132.   Dubey, A. (2017, 14 May). Suspected Pakistani, Chinese hackers target Indian Army officers' computers India Today.
133.   ABP. (2016, 15 December). Home ministry asks users to delete 4 apps from smartphones. ABP Live.
134.   Shah, B., & Shah, Z. (2017, 9 September). The PML-N's digital soldiers. Geo TV.
135.   Ibid.

136.   Wasim, A., & Tahir, Z. (2017, 22 May). FIA launches crackdown on 'anti-army campaigners'. Dawn.com.
137.   Express Tribune. (2017, 17 May). Cyber-crime: PTI social media activist in FIA custody. Express Tribune.
138.   Ibid.
139.   Haque, J., & Bashir, O. (2017, 13 June). Banned outfits operate openly on Facebook. Dawn.com.
140.   Shams, S. (2017, January 16). Op. cit.
141.   Chaudhry, H. (2016, 6 May). Pakistan top target of malware attacks worldwide, says Microsoft. Dawn.com.
142.   Ibid.
143.   Express Tribune. (2015, 1 February). Cybercrimes: Pakistan lacks facilities to trace hackers. Express Tribune.
144.   Verma, S. (2017, 30 May). Study in Pakistan Finds 40% Women Harassed Online. The Wire.
145.   Ibid.
146.   Ullah, I. (2017, 11 July). Peshawar man gets 12-year jail term for blackmailing woman on Facebook. Express Tribune.

Internationally, a number of recent revelations raise concerns about the vulnerability Pakistan's information-technology infrastructure. The US National Security Agency (NSA) spied on Pakistani civilian and military leadership according to reports last year that site leaked classified documents from 2013.[147]

The NSA used malware to gain access to targets in the "VIP division" of the National Telecommunications Corporation (NTC), which provides internet services to government departments. They were able to access data on their Green Line communications network, used by military and civilian leaders. (A malicious code named 'seconddate' was used to redirect target browsers to the NSA's Foxacid malware web servers).[148]

A data leak by hackers group ShadowBrokers in April revealed that the NSA had hacked and obtained information such as call logs of users of at least one cellular network in Pakistan.[149]

In 2016, at least one million android devices in Pakistan were affected by the sophisticated CopyCat malware which took control of smartphones and tablets to inject a malicious code that showed fraudulent ads and installed unauthorised applications.[150]

In May 2017, public[151] and private[152] organisations in Pakistan were hit by the global WannaCry ransomware cryptoworm attack.

Hackers belonging to India and Pakistan are responsible for recurrent tit-for-tat attacks on websites belonging to each other's country, defacing[153] or carrying out denial-of-service attacks[154] against websites run especially by public organisations.[155]

In December 2016, apparent Pakistani hackers defaced the Google Bangladesh domain in what seemed like a case of DNS hijacking.[156] Days before that, a Pakistani hacker group that called itself the Pashtun Cyber Army defaced the website of the Khyber Pakhtunkhwa government leaving a political message.[157]

148. Ibid.
149. Haider, S. (2017, 10 April). US spy agency hacked Pakistani cellular networks, shows leaked data. Geo TV.
150. Check Point. (2017, 6 July). How the CopyCat malware infected Android devices around the world. Check Point.
151. Butt, W. A. (2017, 22 May). Virus attack: Land record services suspended in Punjab. Dawn.com.
152. ARY News. (2017, 19 May). Global 'ransomware' virus hits Pakistan. ARY News.
153. Ahmed, Z. (2017, 15 August). Indian hackers deface numerous Pakistani ministries websites. PakWired.
154. Cuthbertson, A. (2016, 1 November). Hackers take down Pakistan government websites on live radio. News week.
155. Shukla, P. (2017, 14 August). India-Pakistan Gear Up For Cyber Wars This I-Day. Business World.
156. Express Tribune. (2016, 20 December). 'Pakistani hackers' take down Google's Bangladesh domain. Express Tribune.
157. Dawn. (2016, 15 December). KP govt website defaced by hackers. Dawn.com.

1.11 Government engagement on an international level

In line with its prior commitments to global cooperation on electronic crimes, Pakistan has developed a legal framework to share electronic evidence or data relating to electronic crimes with foreign governments and entities in its new law.[158]

Section 39 of the PECA 2016 says mutual assistance requests would be sent and entertained with the expectation of a commitment to keep the data confidential, and as long as the request is not political or discriminatory, does not violate any rights or prejudice an ongoing trial in Pakistan, or is against the country's laws or sovereignty.[159] The vaguely worded conditions do not require judicial oversight, but the investigation agencies in Pakistan are required to keep a register of such requests.

Global concerns focus more on internet rights in Pakistan, and what is seen as violation of Pakistan's commitments to freedom of expression and protection of privacy, such as those expressed in Articles 17 and 19 of the ICCPR. PECA 2016 allows the state to block content "in the interest of the glory of Islam, or the integrity, security or defense of Pakistan, or any part thereof, public order, decency or morality". The vaguely worded legal protection gives the government sweeping powers to clamp down on free speech.[160] Human Rights Watch asked Pakistan to stop "abusive state monitoring of internet activity, prosecute those committing violence on the basis of internet blasphemy allegations, and commit to upholding free expression for all" in a report released in May.[161]

In July 2017, the UN Human Rights Committee asked Pakistan to review its freedom of expression laws, including "its legislation on data collection and surveillance, in particular, the Prevention of Electronic Crimes Act 2016," and "licensing requirements which impose obligations on network service providers to engage in communication surveillance, particularly in relation to indiscriminate data retention", to make sure they do not violate Article 19 of the ICCPR.[162] It also asked Islamabad to "adopt a comprehensive data protection law in line with international standards". Pakistan has been given until 2020 to address these problems, and has been asked to report progress in a year.

Despite these concerns, Pakistan continues to participate in global debates about the internet and its future. Speaking at the World Economic Forum in January, Information Technology Minister Anusha Rehman said Islamabad was committed to global cooperation on internet rights, universal access, and digital governance.[163]

158. APP. (2015, 17 December). Need stressed for cooperation to end malicious use of cyberspace. Dawn.com.
159. Ibid.
160. Shah, B. (2016, 24 November). Op. cit.
161. Human Rights Watch. (2017, 16 May). Pakistan: Escalating Crackdown on Internet Dissent.
162. IFEX. (2017, 1 August). UN Committee urges Pakistan to protect freedom of expression and fight impunity.
163. Express Tribune. (2017, 18 January). IT minister committed to 'Digital Pakistan'. Express Tribune.

Section 2: Key Players

2.1 Federal Investigation Agency

The FIA has been the key law-enforcement arm in charge of investigation of cybercrimes, and continues to play the role after the 2016 electronic crimes law. It must be noted that in October 2017, the government granted the military spy agency ISI similar powers.[164]

Through its National Response Centre for Cyber Crimes, the agency addresses complaints of electronic crimes, helps other law-enforcement departments with its expertise, and carries out capacity-building and awareness activities.[165]

Although the FIA has been prosecuting harassment and blackmail cases aggressively,[166] there is concern that women are deterred by the fact that the authority does not allow a complaint to be launched anonymously.[167]

The FIA has been criticised for a crackdown against dozens of social media users and journalists who the agency alleged were "running an organized campaign on social media against the Pakistan Army". A list of 21 social media activists and journalists was circulated on social media who were summoned by FIA for interrogation. Islamabad based journalist associated with a foreign media, Taha Siddiqui among others, also received summons for interrogation, who challenged the notice in Islamabad High Court.[168] This crackdown spread a wide-spread wave of fear among political dissenters pushing them towards self-censorship. Opposition parties accused the government of misusing the electronic crimes law to target its political opponents.[169]

The agency has sought action against 64,000 Facebook and Twitter accounts so far, acting on more than 7,500 complaints from government organisations as well as citizens, primarily over charges of "blasphemy, anti-state activities and terrorism".[170]

2.2 Ministry of Information Technology

The Ministry of Information Technology and Telecommunications (MoIT&T) is the premier government department dealing with IT and telecom policy, infrastructure and projects.[171] It oversees key organisations in the telecommunication sector, such as Pakistan Telecommunication Authority (PTA), the National IT Board, Pakistan Software Export Board, and the National ICT Research and Development Fund, recently renamed Ignite.[172]

It has faced serious public criticism because of its key role in internet censorship in the past, such as the 2012 call for proposals for an internet censorship project in Pakistan.[173] As the primary drafter of the controversial PECA 2016, the ministry has been accused of ignoring serious rights concerns by civil society organisations.[174] It is now working a data protection law, but a draft has not been made publicly available by August 2017.[175]

The ministry supervised the 3G and 4G license auctions, and claims that Pakistan will become the first country in South Asia to test-run 5G technology.[176]

The IT and telecom ministry has recently funded a project to set up a large-scale automatic surveillance system to monitor video feeds from closed-circuit television cameras all over the country, "to combat terrorism".[177]

2.3 Ministry of Interior

With federal law and order in its domain, the MoI influence includes matters of security and crimes related to IT and telecom. It supervises the FIA which is one of the law-enforcement agencies dealing with electronic crimes. The ministry has been at the forefront of a campaign against content on social media deemed blasphemous, after a court order in March 2017.[178]

164. Gishkori, Z. (2016, 20 October). National security issues: Govt accepts ISI's role in checking cyber-crimes. The News.
165. Federal Investigation Agency. NR3C. Government of Pakistan.
166. Sindhu, H. A. (2017, August). Facebook blackmailer fined, sentenced to 14 months in prison. Daily Pakistan.
167. Toppa, S. (2017, 9 August). Abuse in Pakistan: 'I'm more scared of harassment online than offline'. The Guardian.
168. Gishkori, Z. (2017, 21 May). Stop maligning state institutions: Govt orders mass crackdown on social media activists. THE NEWS.
169. Wasim, A., & Tahir, Z. (2017, 22 May). Op. cit.
170. Haq, R. (2017, 20 August). Cybercrime: 64,000 social media users reported to FIA. Express Tribune.

171. Ministry of Information and Technology. Government of Pakistan.
172. Ibid.
173. AP. (2012, 8 March). Wanted: Censor for Pakistan's Internet. Dawn.com.
174. Dad, N., & Khan, S. (2017, 7 January). Naila Rind killed herself because Pakistan's cybercrime laws failed her. Dawn.com.
175. Ibid.
176. Yasin, A. (2017, 12 April). 'Pakistan to be the first country in South Asia to test 5G services'. Dawn.com.
177. Pakistan Today. (2017, 3 August). IT ministry developing surveillance system to combat terrorism. Pakistan Today.
178. Human Rights Watch. (2017, 16 May). Pakistan: Escalating Crackdown on Internet Dissent.

Former interior minister Chaudhry Nisar Ali Khan has pressured Facebook and Twitter in public statements to comply with the government's demands for data in such cases.[179] The FIA claims it acts in such cases on complaints by MoI and intelligence agencies.[180] In May, Mr. Nisar also told the FIA to crackdown on social media users "ridiculing Pakistan Army".[181]

Concerns about the ministry's role were highlighted especially after a Shia man became the first Pakistani to be sentenced to death over social media posts.[182] He was charged with blasphemy after a debate with an under-cover counter terrorism agent.[183]

The ministry also directs cellular phone companies to suspend their services during religious and political events as a security precaution, via PTA (see Section 1).

2.4 Pakistan Telecommunication Authority

Pakistan Telecommunication Authority is the primary regulator of the telecommunication sector in Pakistan, granting business licenses, setting infrastructure standards, and addressing complaints.[184] Its newest function, assigned in last year's electronic crimes law, is to regulate internet content.

The authority has been allowed to block information "in the interest of the glory of Islam, or the integrity, security or defence of Pakistan, or any part thereof, public order, decency or morality, or in relation to contempt of court or commission of or incitement to an offence," according to Section 37 of the new law.[185] While it has been asked to set up rules to ensure transparency and safeguards in the process, there is no time limit to developing such a framework, and the body retains its censorship powers in the absence of any guidelines. Appeals for review can be filed with the authority itself, and then at a high court. As a content regulator, the PTA will also deal with individual complaints of violation of privacy and certain forms of harassment.

PTA is the primary authority that negotiates with Facebook and other social media companies for the removal of content it deems illegal. In May 2017, PTA sent out text messages to millions of Pakistani mobile phone users warning them against blasphemy on social media and telling them how to report it.

The move was in line with a court's order, but rights activists are concerned such messages encourage vigilantism.[186] In July, Facebook was told to link accounts to biometrical-verified mobile phone numbers, to make anonymity impossible.[187] Facebook denied the request.[188] In 2015, it had blocked 27.5 million cell phone SIM cards after a long process of fingerprint verification linking phone numbers to citizens.[189] [190]

The same year, the authority had ordered a ban on Blackberry services in Pakistan "for security reasons" because its end-to-end encryption makes interception nearly impossible.[191] The shutdown was cancelled later after the demand for access to private communications was withdrawn.[192] PECA 2016 allows PTA to set the time for which service providers must retain their data, which can be accessed with a court warrant.

The frequent suspension of mobile phone services because of security concerns at political, religious and military events is also implemented by the PTA, which complies with the MoI's directions (see Section 1).

PTA also addresses consumer complaints in the telecommunication sector. From April to June 2017, it heard 10,237 complaints of which it claims to have redressed 96.04%.[193]

179.   Hern, A. (2017, 17 March). Pakistan asks Facebook and Twitter to help identify blasphemers. The Guardian.
180.   Zahra-Malik, M. (2017, 27 July). Crackdown on online criticism chills Pakistani social media. The New York Times.
181.   Dawn. (2017, 14 May). Interior minister orders action against those maligning Pakistan Army on social media. Dawn.com.
182.   Rasmussen, S. E., & Wong, J. C. (2017, 22 July). Op. cit.
183.   Ibid.
184.   Ibid.
185.   Ibid.

186.   RT. (2017, 11 May). Op. cit.
187.   APP. (2017, 13 July). Pakistan asks Facebook to link accounts to mobile numbers. Dawn.com.
188.   Rasmussen, S. E., & Wong, J. C. (2017, 22 July). Op. cit.
189.   APP. (2015, 16 May). PTA blocks 27.5m SIM cards as biometric verification process ends. Express Tribune.
190.   Rasmussen, S. E., & Wong, J. C. (2017, 22 July). Op. cit.
191.   Bhatti, S.I. (2014, 12 August). Mobile phone services being suspended in parts of Islamabad: PTA. Dawn.com.
192.   BBC. (2015, 31 December). Blackberry to keep operating in Pakistan. BBC.
193.   Ibid.

After a controversial[194] text message and newspaper ad campaign asking citizens to report blasphemy on social media, carried out in line with a court's order, the authority received 3,000 complaints of offensive content, and had blocked 12,968 such websites on its own by April 2017.[195]

2.5 Politicians

Earlier, the 20-member National Assembly standing committee on information technology approved PECA while only one opposition politician Ali Raza Abidi opposed some parts of the bill. Five other members from the opposition were absent.[197]

On the party level, little resistance was shown to the PECA but few individuals took part actively in the meetings. Peoples Party's Senator Farhatullah Babar, in one of the meetings discussing the PECA said: "The bill is an attempt to curb citizens' freedom of speech rather than protect them. Banned militant outfits continue to operate freely on social media but restrictions are being placed on citizens raising relevant questions via online portals".[198]

The government was criticised when PECA was passed by the National Assembly through a simple majority but with the presence of only 30 out of a total of 342 members. Pakistan Peoples Party's Shazia Marri, Pakistan's Tehreek-i-Insaf's Shireen Mazari and Muttahida Qaumi Movement's Ali Raza Abidi objected to many clauses of the bill.[199]

Amid the rumours of an apparent crackdown on social media, then interior minister Chaudhry Nisar Ali Khan denied any such move but added that unbridled freedom was not allowed either.

He further claimed that "our cultural and religious values are under attack from a section of social media".[200]

2.6 Internet service providers

There are about 50 internet service providers in Pakistan, of which 10 provide DSL services and at least four own domestic fibre backbones.[201] The number of cellular phone service providers, who also offer high-speed mobile internet, is five.[202] To deal with what they call "a state-owned monopoly" apprehensive towards the private sector, ISPs in the country decided to form the Internet Service Providers Association of Pakistan (ISPAK) in 1997.[203] Despite having gained significant grounds, private service providers in Pakistan still depend largely on PTCL.[204]

PTCL was the only bandwidth provider in the country until 2009.[205] Although the rate of a 2-megabyte bandwidth dropped from 80,000 dollars a month in the late 1990s[206] to 400 dollars a month by 2014,[207] PTCL still controls most of the bandwidth in the country, with three undersea cable connections – the 480gbps Sea-Me-We-3, the 1.28tbps Sea-Me-We-4, and the 3.86tbps I-Me-We. Transworld Associates (TWA), the only private bandwidth owner in Pakistan, is connected to the 1.28tbps submarine cable TW1,[208] and joined 24tbps 16-party Sea-Me-We-5 cable in December 2016.[209]

All ISPs are legally required to retain traffic data for a period specified by the PTA, and cooperate in surveillance warranted by courts.[210] The new internet law passed in 2016 however criminalises unauthorised disclosure of private data.[211] PTCL also owns the Pakistan Internet Exchange through which most of the country's internet traffic is routed,[212] and all ISPs are in any case required to enforce censorship carried out by the PTA.[213] There are concerns the law can potentially be used to silence dissenting opinion.[214]

194. RT. (2017, 11 May). Op. cit.
195. Haq, R. (2017, 10 May). PTA blocked 12,968 websites till April. Express Tribune.
196. Yusufzai, A. (2017, 5 April). NGOs weakened cyber-crime law for vested interests: Anusha. Propakistani.
197. Shahid, J. (2015, 17 April). 'Flawed' cyber-crime bill approved. Dawn.com.
198. Guramani, N. (2016, 19 July). Senators term Prevention of Electronic Crimes Act, 2016 a 'black law'. Dawn.com.
199. Abbasi, W. (2016, 14 April). Cyber-crime bill passed in the absence of 90pc of MNAs. The News.
200. (2017, 23 May). No restrictions either: No unbridled freedom on social media, says Nisar. Express Tribune.

201. Ibid.
202. Ibid.
203. Ibid.
204. Ibid.
205. OpenNet Initiative. (2012, 6 August). Pakistan. OpenNet
206. Ibid.
207. Ibid.
208. Baloch, F. (2015, 8 March). Broadband connectivity: New cable to provide faster access for consumers, businesses. Express Tribune.
209. TR Pakistan. (2016, 19 December). Pakistani internet bandwidth to increase by 24Tbps. Dawn.com.
210. Ibid
211. Ibid
212. Attaa, A. (2016, 14 November). Pakistan ranked among worst 10 countries for internet freedom: report. Dawn.com.
213. Ibid.
214. Shah, B. (2016, 24 November). Op. city

2.7 Military

Pakistan's military has historically been very influential in policy matters and has exerted significant pressure on civilian governments and politicians to drive the narrative in their favour.[215]

The military, which poses as the protector of Pakistan's geographical as well as ideological frontiers, deems it necessary to censor the content it considers "anti-state". In the past, several Balouch websites have been blocked (see ILR 2016). The public relations unit of the military, the ISPR, effectively uses cyberspace to reach out to the masses.

In April 2017, the Director General of ISPR took on Twitter to "reject" a notification from the Prime Minister on "DawnLeaks", a news story about a rift between civilian and military leadership over a crackdown against certain terror groups published in Dawn.[216] However, the tweet was withdrawn two weeks later after the issues were settled between the military and government.[217]

The military has also been accused of suppressing dissenting voices online. One of the abducted bloggers Ahmad Waqas Goraya told the BBC few days after his release that he was abducted and tortured by an agency linked with the military,[218] while another abductee Salman Haider also took to Twitter and claimed that he was abducted by a military agency for running a page critical of its role in politics.[219]

Most recently, Aasim Saeed told BBC News that he was tortured during his detention by s "state intelligence agency".[220]

Former Interior Minister Chaudhary Nisar Ali Khan also threatened to take action against those critical of the military using online spaces. He was quoted as saying: "As far as the freedom of speech is concerned, the Constitution makes it clear that national security and defence institutions would not be criticised and that citizens would not engage themselves in any activity that causes damage to the prestige, reputation and goodwill of Pakistan Army".[221]

The military-run Special Communications Organisation (SCO) has been bidding to enhance their operations across the country on a commercial basis. Run by a military officer, the SCO currently operates throughout the northern areas and Kashmir. However, the government recently made it clear to the Senate that it had no intentions to grant permission to the SCO to operate commercially.[222]

2.8 Militant religious groups

Many militant religious groups, although banned officially by the government, continue to operate freely in cyberspace.[223]

An investigation by Pakistan's leading newspaper Dawn found that 41 of the total 64 banned outfits continue to use social media, especially Facebook, to further their agenda. The groups included sectarian outfits like Ahle Sunnat Wal Jamaat (ASWJ), Sipah-e-Sahaba (SSP), Lashkar-e-Jhangvi (LeJ) and terrorist outfits like Tehreek-i-Taliban Pakistan (TTP) and Jamat-ul-Ahrar.[224]

Chief of Army Staff General Qamar Javed Bajwa, while speaking to a group of students warned them about the presence of terror outfits on social media and their potential recruiting methods.[225]

The terror outfits seem to increase their recruiting efforts online, which were indicated by a student of Liaquat University of Medical Sciences Noreen Leghari who was arrested in a raid by the Counter Terrorism Department of Punjab Police. She confessed to planning to conduct a suicide attack.[226]

Tehreek-i-Taliban Pakistan also launched a women's magazine for would-be female Jihadists which urged women to gather others for secret meetings and learn to use weapons.[227]

Little or no action has been taken against the individuals and groups using social media to spread extremist views. However, in some of the rare incidents, the Counter Terrorism Department in Abbottabad arrested a man last year for uploading material supporting terrorism.[228]

215.   Javid, H. (2014, 23 November). The army and democracy: military politics in Pakistan. Dawn.com.
216.   Sikander, S. (2014, 29 April). Army rejects PM Office statement on Dawn leaks report. Express Tribune.
217.   Geo News. (2017, 10 May). Dawn leaks: Army withdraws tweet rejecting PM's orders, says issues settled. Geo TV.
218.   BBC. (2017, 9 March). Op. cit.
219.   Twitter. (2017, 21 August). Tweet Salman Haider.

220.   BBC. (2017, 25 October). Pakistan blogger Aasim Saeed says he was tortured. BBC.com
221.   Dawn. (2017, 14 May). Interior minister orders action against those maligning Pakistan army on socia media. Dawn.com.
222.   Shahid, J. (2017, 18 August). Military-run SCO denied permission to operate across country. Dawn.com.
223.   Haque, J., & Bashir, O. (2017, 13 June). Op. cit.
224.   Ibid.
225.   Samaa. (2017, 17 August). COAS warns youth against militant outfits active on social media. Samaa TV.
226.   Tanveer, R. (2017, 16 April). Female militant arrested in Lahore found to be IS-affiliate who went missing. Express Tribune.

Section 3

3.1 Digital journalism

Over the years, internet accessibility and quality has become cheaper and more people are joining social media platforms in droves. The media landscape has also changed rapidly in recent years as media outlets have been investing heavily in digital platforms.

Many of the recent journalism training programs focused on Pakistan have included digital journalism as a key theme.[229] In recent years, media groups including Express Tribune have launched digital journalism platforms like "Tribune Labs", which is self-described as "a platform for cutting-edge, digital storytelling; a place new age media meets old-school journalistic standards".[230] The digital presence of Geo TV has also focused on 360° graphics for immersive storytelling.[231]

Many digital news platforms have also emerged over the past few years, focusing on an entirely different reporting strategy as compared to the mainstream media. A recently launched platform PakVoices focuses on bringing stories from the remotest areas of Pakistan including Makran Coast, Thar and Cholistan to "bring greater transparency and accountability to governance."[232]

The popularity of online news portals is demonstrated by the fact that 8 out of a total 50 websites ranking on top in Pakistan are news websites.[233]

3.2 Activism through digital media

There are more than 44 million social media accounts being operated from Pakistan, out of which 31 million are on Facebook and 3.1 million on Twitter.[234] In the 2013 elections, Pakistan saw a surge in the social media use as Pakistan Tehreek-e-Insaf effectively used these platforms to rally the younger generation in its support.[235]

Since then, social media has become a major tool for political and social activism in Pakistan and many major incidents were first reported on social media, instead of the mainstream media.

The most recent example is the murder of Mashal Khan. After the videos of his lynching were shared online and sparked widespread outrage, it was picked up by the mainstream media outlets.

The transgender community in Pakistan has been using social media effectively to raise their voices against the violence and discrimination they face in their daily lives. Their efforts have led to the KP government drafting a comprehensive transgender policy, including announcing a trans-specific rehabilitation plan, and allowing for ID cards with gender X.[237]

However, with positive activism, digital media is also used for negative campaigning and propaganda. An investigation earlier this year revealed that an organised campaign against Afghan refugees was launched online after the attack on Army Public School Peshawar asking to drive them out of the country.[238]

227.   Janjua, H. (2017, 8 August). Pakistani Taliban starts magazine for would-be female Jihadists. The Guardian.
228.   Pakistan Today. (2016, 27 April). Man arrested for supporting banned outfits on social media. Pakistan Today.
229.   International Center for Journalists. (2015, 10 August). Pakistan alumni summit builds digital journalism skills.
230.   Express Tribune. (2015). What is Tribune Labs? Express Tribune.
231.   Geo. (2017). 360: The sights and sounds of Karachi's Burnes Road. Geo TV.
232.   PakVoices. (2017). A project of Bytes for All, Pakistan & Free Press Unlimited Project.
233.   Alexa. (2017). Top sites in Pakistan.
234.   Jahangir, R. (2017, 13 May). Society: The politics of hashtag activism. Dawn.com.
235.   Asia Despatch. (2013, 13 May). Pakistan elections 2013: The social media impact. Asia Despatch.

236. Jahangir, R. (2017, 13 May). Op. cit.
237. Ali, U. (2017). Hashtag trans lives matter. Newsline, July.
238. Ali, U. (2017, 4 July). Tweeting hatred: The hounding of Afghan refugees in Pakistan. News Deeply.

CONCLUSION

The concerns by the civil society and digital rights organisations were not addressed before the PECA, 2016 was passed by the Parliament. It left many terminologies and expressions undefined, ambiguous and vague.

The crackdown by the state agencies against outspoken journalists and activists on social media is a growing concern vis-à-vis protection of the citizens' right to freedom of expression in online spaces. More concerning is the new trend of accusing opponents of committing blasphemy online, thus forcing them into silence.

Concerns in the aftermath of the new law against electronic crimes include fears of the State surveillance and social vigilantism. While it limits liability for the internet service providers, it also makes it mandatory for them to retain user data and allow access to the FIA and the ISI – the agencies authorized to investigate electronic crimes in Pakistan.

This access is subject to court warrants, and the government argues vigilance is necessary because of genuine security concerns; but amidst tense political debates on the internet between supporters of rival parties and the critics of the military establishment and the higher judiciary, the recent targeting of political workers and social media activists demonstrates the potential for the law to be misused to censor or criminalise dissent. A notable incident this year was an SMS campaign against alleged online blasphemy case, not too long before Mashal Khan, a university student, was killed by a mob over allegations of defiling Islam on social media.

Pakistan is among the top targets of malware attacks in the world, there has been evidence of serious international espionage, and Indian hackers carry out frequent attacks on Pakistani websites, but the country lacks a comprehensive data protection law. Despite enhanced connectivity through new submarine cables, its infrastructure is still prone to breakdowns.

The Ministry of Information Technology and Telecommunication steers IT policy in the country, and has been accused ignoring civil society concerns about the new electronic crimes law. The key civilian agency that deals with electronic crimes is the FIA, which is overseen by the ministry of interior. A set of probes against political workers has caused concerns about whether the agency can carry out its work without political influence. The internet and social media censorship is carried out by the PTA, which can arbitrarily censor internet content in the country. It has not made public what rules it follows, if at all.