

Guidelines for Documenting
& Confronting Impunity for

CRIMES AGAINST JOURNALISTS

Report prepared by Pakistan Press Foundation
October 2022



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About Us

Pakistan Press Foundation:

Established in 1968 as an independent media documentation and training centre, Pakistan Press Foundation (PPF) has been involved in assisting the development of independent media through professional capacity building and campaigning to defend and promote freedom of the press.

PPF has, since 1992, been monitoring and documenting attacks on freedom of expression and has been advocating for promotion of freedom of expression and safety of journalists. PPF is a member of the International Freedom of Expression Exchange (IFEX) and has, on a number of occasions, been elected to the IFEX Council and served on the board of The International Press Institute (IPI). PPF served as a Co-Chairs of the Media Freedom Coalition Consultative Network (MFC-CN) for 2020-2012, and was re-elected as a member of the Steering Committee of the Global Forum for Media Development for the years 2021-2025.

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Press Freedom in Pakistan

The record for press freedom and safety of journalists in Pakistan presents a dismal picture. Forms of violence, threats and abuse against the media continue to prevail with little to no accountability for the perpetrators of such attacks.

Freedom of expression is a right guaranteed under the Constitution of Pakistan. Despite this, year after year, Pakistan has been amongst the most dangerous countries for journalists to work in while the rate of impunity in crimes against journalists remains high.

In the country, journalists and media professionals routinely come under attack from all fronts. From the state to disgruntled subjects of stories, the media continues to come under attack by those in positions of power.

Despite the changes in power and subsequent government's emphasizing the importance of a free press, the attacks on the media are often perpetrated by the state which makes it even more challenging to ensure accountability.

The attacks on the media include forms of physical violence including murder, injuries, harassment and threats as well as forms of emotional violence via threats, registration of cases, online abuse, harassment and trolling.

In an environment of threats, fear and acts of violence (both physical and emotional), journalists in Pakistan are required to do their work while fearing for their safety.

During 2021-22, Pakistan Press Foundation (PPF) has recorded at least 1 targeted murder, 1 accidental death while on assignment, 2 abductions/kidnappings, 89 instances of physical assault, 24 detentions/arrests, 46 instances of threats being issued and 34 instances where cases were registered against media professionals or they were taken to court.

While 2021 was a successful year for the passage of two laws - one on the federal level and one on the provincial level in the Sindh province - regarding the safety of journalists, there is also a push to control the media further. In recent years, this has taken the form of proposed super media regulators, a push to create social media rules and thus further restrict the space for free expression.

Both the state forced and leading political parties have been involved in the attacks on the media through their attacks, their lack of action when a journalist is attacked and by themselves perpetrating rhetoric that undermines the credibility of journalists or makes them the target of attacks.

Over the years, the forms of attacks against journalists have also changed with an increasing use of criminal proceedings and online abuse against media professionals.

There is an increasing push to criminalize content online and media professionals are often at the receiving end of legislation that restricts free speech on social media platforms. Journalists are also the subject of abuse, trolling and threats online.

As attacks online become increasingly commonplace, journalists have become the subject of online trolling. This has led to a lack of safety for journalists both in person and online. As with physical attacks, the source of these forms of online abuse includes those in positions of power.

Methodology

PPF maintains a database of every attack on a journalist and media professional in connection with their work. This database has a record of the various kinds of attacks journalists in Pakistan experience from threats to murders. Each case is investigated and updated as more information is collected. We are careful in determining that an act against a journalist or media professional was in connection to their work.

For the murder of journalists, each case has been investigated and is updated as we find out further information. This has led to a change in status of some cases which initially seemed to be in connection to a journalist's work and later were found to have occurred due to personal reasons. Similarly in some cases the motive was initially unclear and required further investigation before it could be concluded that it had occurred due to a journalist's work.

Particularly in the case of killings and murder of journalists, PPF also follows up on the status of investigations and how far along proceedings in a case have gone. This is done through following news updates, speaking to a victims' family, employers as well as to representatives of the relevant press clubs, lawyers and police officials.

Alongside tracking attacks on the media, PPF also tracks impunity in crimes against the media, and this mechanism of follow ups, updates and tracking progress enable us to do so.

In order to track impunity through the gaps in the legal and judicial system, this report looks at the various outcomes in cases regarding the murder of journalists in Pakistan.

By looking at the various outcomes which vary from no progress to convictions to reinvestigations, this report aims to highlight the nature of impunity when it comes to the murder of journalists. It is based upon case studies that show what happened in specific instances following the murder of a journalist.

Killing of journalists

Since 2002, PPF has recorded at least 76 killings of journalists and media professionals in connection with their work. This figure includes both the targeted murder of media professionals as well as their deaths while on assignment.



According to data collected by PPF, of the 76 killings and murders of journalists: 18 took place in Sindh province, 21 in the Balochistan province, 29 in the Khyber Pakhtunkhwa province, 5 in Punjab province and 3 in the capital city, Islamabad.

Journalists have been the subject of targeted attacks and murders which has resulted in their death as well been on assignment during which a bomb blast, jet strike and other such incidents occurred resulting in their deaths.

During the last 20 years, 48 of these murders took place due to targeted attacks and killings of the journalists.

Despite the periods of violence in the past two decades, this figure accounts for 63% of killings of journalists compared to bomb blasts and deaths on assignments which account for the remaining 37% of the killings.

There have been 28 deaths of journalists and media professionals as a result of bomb blasts and other incidents while they were on assignment.

A recent incident where a journalist was killed in connection with their work was in 2021.

On November 8, 2021, social media activist and sub-editor for Sada-e-Malakand, a weekly newspaper in Swat, Muhammad Zada Agra was shot dead in the Malakand district of Khyber Pakhtunkhwa.

Agra, who according to Dawn, was also the former district president of the student wing of the political party, Pakistan Tehreek Insaf, was shot near his house in Sakhakot, Malakand, by two unidentified gunmen on a motorcycle.

A day later, the deputy commissioner and assistant commissioner of the Malakand district were suspended.

Senior journalist and former president of the Swat Press Club Shehzad Alam had told PPF that Zada was very active on social media. He used to post about the illegal activities of Malakand on his Facebook account. Recently, a video of his speech against drug smugglers in a meeting had gone viral in which he appeared very passionate to solve the problems of the area.

Condemning the murder, Sada-e-Malakand Editor Gohar Rehman had called it an act against freedom of expression.

Legal Framework

Press freedom is a constitutionally guaranteed right in Pakistan.

Article 19 of the Constitution of Pakistan states: "Every citizen shall have the right to freedom of speech and expression and there shall be freedom of the press, subject to any reasonable restrictions imposed by the law in the interest of Islam, or the integrity, security or defence of Pakistan or any part thereof, friendly relations with foreign states, public order, decency or morality, or in relation to contempt of court, defamation or incitement to an offence."

A constitutional amendment in 2010 led to the addition of Article 19-A which makes the right to information a constitutional right of every citizen.

Article 19-A states: "Every citizen shall have the right to have access to information in all matters of public importance subject to regulation and reasonable restrictions imposed by law."

PECA, 2016

The Pakistan Electronic Crimes Act, 2016 (PECA). PECA became law in 2016 under the Pakistan Muslim League Nawaz government. The law was draconian and has been opposed by press freedom advocates since its inception.

In recent years, particularly under the Pakistan Tehreek i Insaf government, ousted in April, there was a push for increasing criminalization of content online.

This took the form of further strengthening the already draconian law.

On February 20 of this year, President Arif Alvi promulgated an ordinance to amend PECA. This came a day after the information minister said that the federal cabinet had granted its approval for this amendment.

The amendment included an increased jail term from three to five years to anyone "defaming any person or institution", the definition of a person was expanded, it was made a non-bailable offence, speedy trials were urged and the court was required to submit monthly reports for pending trials.

It was rejected across the board by media bodies and was challenged in the Islamabad High Court.

Giving its ruling on April 8, the IHC declared that the Pakistan Electronic Crimes (Amendment) Ordinance, 2022 and its promulgation were "unconstitutional, invalid beyond reasonable doubt" and therefore struck it down.

While the attempt to further strengthen a draconian law, this effort showed the push for further criminalization of content online.

The IHC stopped the Federal Investigation Agency from making arrests under Section 20 of this ordinance. When the PECA ordinance was struck down, the high court also struck down Section 20 of PECA, 2016 to the extent that the expression "or harms the reputation".

Journalists' safety legislation

In 2021, however, Pakistan passed its very first legislation pertaining specifically to the safety of journalists and media professionals.

The Sindh Protection of Journalists and Other Media Practitioners Act 2021 became the first such law, passed at the provincial level, in the Sindh Assembly on May 28, 2021. On November 8, the National Assembly passed the Protection of Journalists and Media Professionals Act, 2021 bringing the first federal level law specifically pertaining to journalist's safety.

While there are differences within the two laws, both laws ensure the safety of journalists and media professionals by guaranteeing their right to perform their duties independently and with protection from harassment, violence and threats of violence.

They also deal with the issue of impunity in such crimes by requiring investigations. A commission is at the heart of both the laws, tasked with taking up complaints of attacks on the media and ensuring that they are investigated.

Under both laws, combating impunity is set as a target. The laws state that no act of violence or harassment against a media professional will be exempt from investigation. Not only this, the government has been tasked with "developing and implementing" effective strategies to combat the impunity. They are required to: monitor and conduct investigations, coordinate policy and action between the relevant government authorities and coordinate with the relevant stakeholders.

Both the federal and provincial level bill also reaffirm Pakistan's commitment to the United Nations Plan of Action on the Safety of Journalists and the Issue of Impunity.

Media Regulatory Bodies

PEMRA

The Pakistan Electronic Media Regulatory Authority (PEMRA) is the body tasked with the monitoring and regulation of the broadcast media. PEMRA issues directives to networks regarding their content. It is the body tasked with the issuance of guidelines regarding content that media channels are allowed to broadcast.

The restrictive nature of the media regulator has become commonplace in recent years. While it is the role of PEMRA to issue guidelines, it appears to routinely be in overdrive and issue increasingly restrictive guidelines. This includes guidelines blocking speeches by certain politicians or banning coverage of certain topics.

PTA

The Pakistan Telecommunications Authority (PTA) plays a role when it comes to regulating social media content, blocking social media platforms such as Twitter and regulating these online spheres.

The PTA, amongst its stated functions, lists: "to regulate the establishment, operation and maintenance of telecommunication systems and provision of telecommunication services in Pakistan" as one.

Culture of Impunity

While the killing of journalists has continued to take place in the country, there has been little to no accountability for these attacks. Those behind the murder of journalists are able to get away with their crimes due to the high degree of impunity that prevails in crimes against the media.

According to the Committee to Protect Journalists' Global Impunity Index for 2022, Pakistan ranked tenth worst on the index that tracks impunity in the killings of journalists globally.

This is a worrisome yet not surprising statistic. Pakistan has featured on the impunity index since it was created. The killing of journalists is a crime that is plagued with impunity for the perpetrators. This is despite repeated efforts by civil society organizations to highlight the impunity and urge authorities to investigate instances where journalists are attacked, particularly killed in targeted attacks.

In Pakistan, when a journalist is murdered or killed, the first step is often the registration of a First Information Report (FIR). An FIR is a criminal complaint that is registered at a police station and provides initial information about the series of events.

When criminal complaints are registered in cases regarding murders of journalists, we see sections of the Pakistan Penal Code (PPC) and Section 7 of the Anti-Terrorism Act under which a case is registered.

According to PPF's data, of the 76 killings of journalists, a First Information Reports (FIRs) was registered in 74 of the instances.

In the case of Daily Pakistan correspondent Noor Hakim Khan, who was killed in a roadside bomb in Bajaur Agency in erstwhile Federally Administered Tribal Areas (FATA) on June 2, 2007, there is no record of a criminal complaint. Pakistan Federal Union of Journalists (PFUJ) General Secretary Rana Azeem had explained that at the time there used to be no police in Bajaur Agency and the Khasadar force (the local force) used to file the FIRs. After 2019, police were taking care of matters in the area.

The major bulk of cases regarding the murder of journalists in the country are marred by a lack of progress. In some instances, perpetrators including terrorist organizations have claimed responsibility for the attacks while in other cases the perpetrators are unidentified individuals.

While initial criminal complaints are registered, there is no progress beyond that initial step in some instances. In other instances, the cases have been sitting in courts for years with little to no progress in proceedings. Some suspects are arrested however little progress is made in proceedings beyond these.

Out of 76 killings of journalists in Pakistan, there have been convictions in only a handful of cases, one of which was in the case of Daniel Pearl, an American journalist killed in Pakistan. The low number convictions compared to the number of killing and murders of journalists in the country is an apt reflection of the culture of impunity that surrounds crimes against the media.

The role of blood money or settlements between the families of victims and the accused has also brought an end to investigations in at least three instances where journalists were killed.

The alleged role of the state or others in positions of power has also made the process of accountability challenging.

Perpetrators convicted

Convictions of those behind the murder of journalists is a rare occurrence in Pakistan and has happened in only a handful of cases.

Perhaps the most high-profile conviction was of those responsible for the murder of Daniel Pearl, an American journalist with The Wall Street Journal who was kidnapped and beheaded in Karachi, Pakistan in 2002. In this case as well, on April 2, 2020, the Sindh High Court (SHC) overturned the death penalty handed to the main accused, Ahmed Omar Saeed Sheikh,

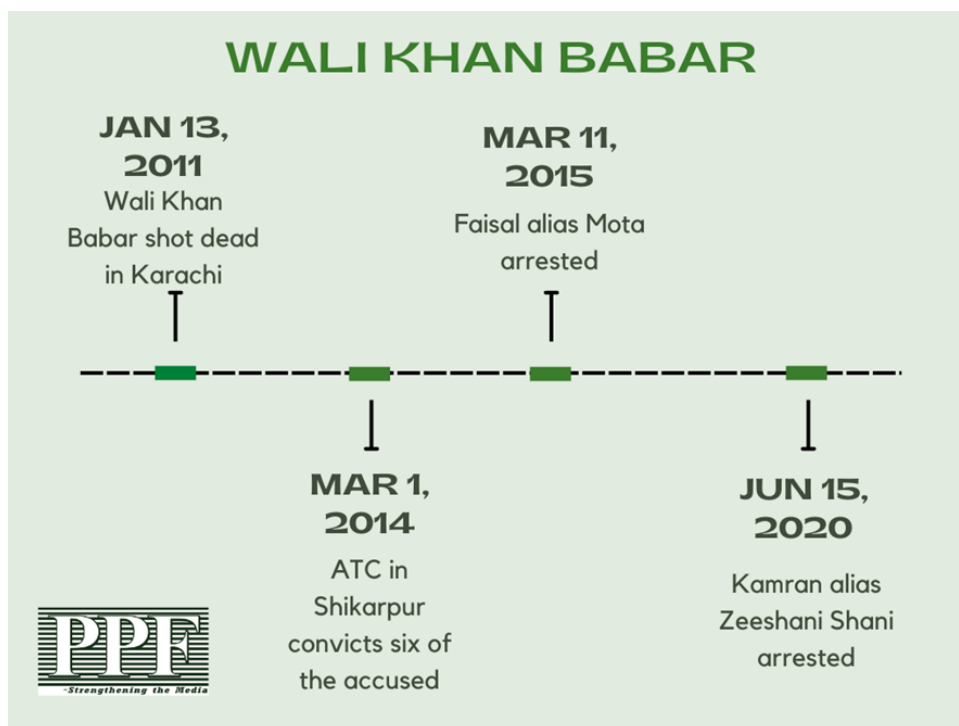
The first time a conviction took place for the murder of a Pakistani journalist was with the conviction of those responsible for the murder of Wali Khan Babar in 2011. This conviction came years after Khan's death and the prime suspect wasn't arrested till 2020.

Convictions related to the murder of journalists have only happened in three other instances - Ayub Khan Khattak, Abdul Razzak Johra and Nisar Ahmed Solangi.

Wali Khan Babar

On January 13, 2011, Geo News reporter Wali Khan Babar was shot dead in the Liaquatabad area of Karachi.

He was returning home from the Geo News office after work, when two assailants on a motorcycle intercepted his car and shot him five times through the driver's window at close range. He received five bullets - two in his forehead, one in the jaw and two in his neck.



According to Dawn, a Special Investigation Unit was assigned the case.

Three years later, on March 01 2014, an Anti-Terrorism court in Shikarpur convicted six of the accused of murder.

Faisal Mehmood alias Faisal Mota and Kamran alias Zeeshan who were convicted in absentia and given a death sentence. They were workers of the political party, Muttahida Qaumi Movement (MQM).

Faisal Mehmood alias Nafsyati, Naveed alias Polka, Muhammad Ali Rizvi and Shahrukh alias Maniwere sentenced to life imprisonment. One accused identified as Shakeel was set free due to lack of evidence.

This conviction came at a heavy price. Five witnesses to the murder and one prosecutor were also murdered during investigations.

Due to the threats to the lives of investigators, witnesses and prosecutors the provincial government had requested the Sindh High Court to transfer the case from Karachi to another city, Kandkot, and transfer the accused to Shikarpur prison, where the sentences were announced.

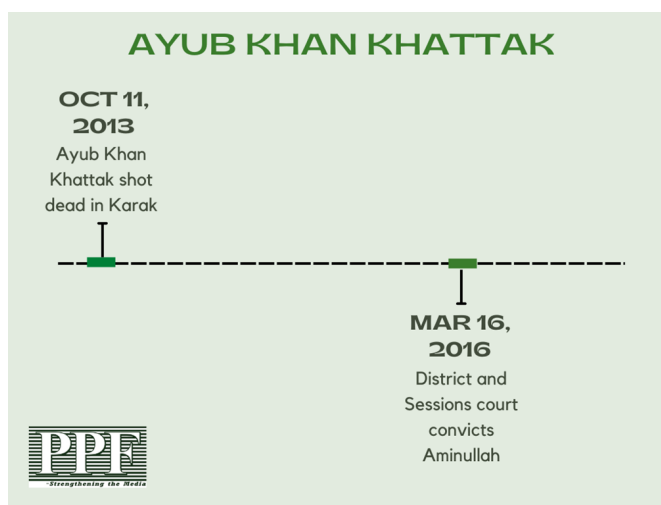
Faisal alias Mota was arrested from Nine Zero, the headquarters of the MQM, on March 11, 2015.

Over five years later, Kamran alias Zeeshani Shani was arrested by a Special Investigation Unit, Federal Intelligence Agency on June 15, 2020. This was almost a decade after Babar was killed.

Ayub Khan Khattak

On October 11, 2013, Karak Times reporter Ayub Khan Khattak was shot dead outside his home by two gunmen in Karak district of the Khyber Pakhtunkhwa province.

The gunmen, waiting on a motorcycle, opened fire on Khattak as he was returning home with his son after offering evening prayers. He died on the spot and the attackers fled the scene.



Three years later, on March 16, 2016, Karak District and Sessions Court Judge Syed Kamal Hussain Shah had convicted Aminullah for Khattak's murder and sentenced him to life imprisonment and a fine of Rs500,000, as per Head Muharrar Nasir Iqbal. The co-accused, Hub-e-Niaz, Aminullah's brother, was acquitted due to a lack of evidence.

Later, Aminullah was also granted bail.

Khattak's brother Mukhtiar Khan had expressed dissatisfaction over the court's decision and wanted to challenge the verdict in the Peshawar High Court because they believed that the accused deserved the death sentence. Aminullah, however, was killed by unidentified gunmen on a roadside while he was on bail.

Blood money

In Pakistan, the role of blood money or compensation provided to the victim's family has brought an end to investigations into the murder of a journalist in at least three instances - Sajid Tanoli, Ameer Bux Brohi, and Shahid Soomro. In the case of the murder of Soomro, a jirga (local elders) played a role in settling the matter.

Blood money plays the role of a settlement between the parties and brings an end to investigations.

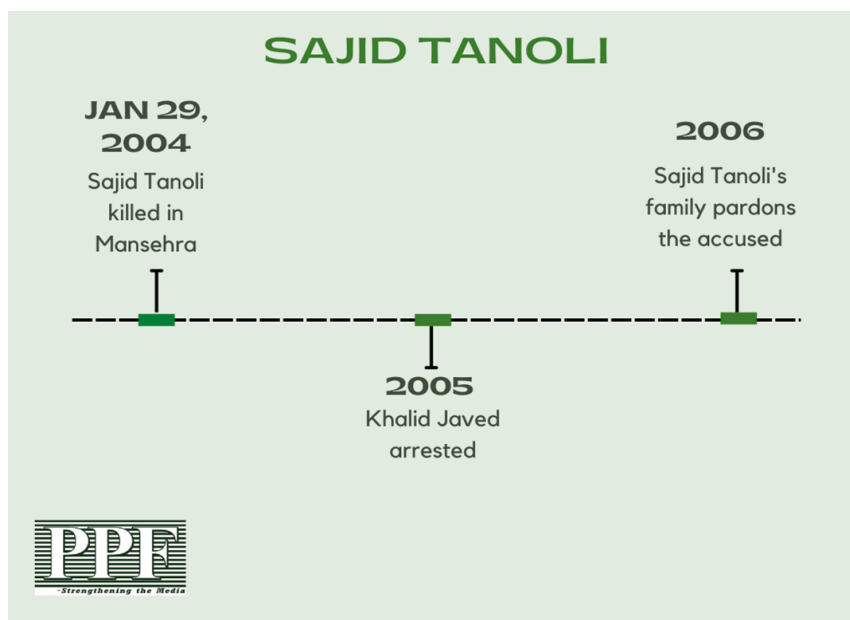
Sajid Tanoli

On January 29, 2004, a reporter with a regional Urdu daily newspaper Shumal, Sajid Tanoli, was killed by the mayor of Mansehra, a city in the Khyber Pakhtunkhwa province.

On the fateful day, Tanoli was stopped on a highway, dragged from his car and shot multiple times. According to reports, he received four bullet wounds - two on his head, one on his neck and one to his chest.

As per reports, Tanoli had written an article alleging that the mayor, Khalid Javed, was running a liquor business. The next day Javed had filed a libel suit against Tanoli and demanded a written apology.

Police had filed murder charges against Javed, who fled the scene. They also arrested his brother and son who were suspected to be accomplices in the murder, Committee to Protect Journalists had reported.



According to police, Javed was arrested in 2005. However, both parties patched up and the case was withdrawn from court. In 2006, Tanoli's family pardoned the accused.

According to Tanoli's brother, Ali Asghar Tanoli, Javed paid Rs25 million to the family as compensation for the death.

"We resolved the matter with Khalid (Javed) because our judicial system is slow, Khalid was on bail and he could do anything," he told PPF.

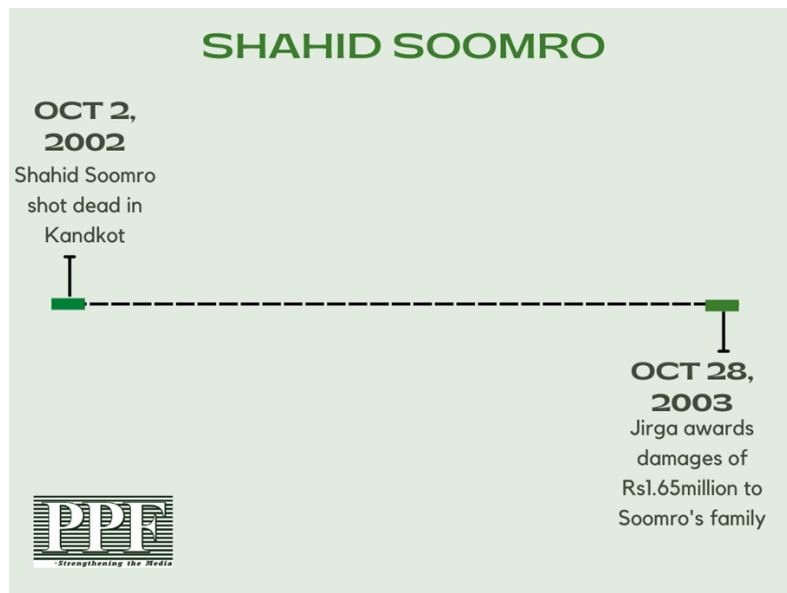
Shahid Soomro

On October 2, 2002, daily Kawish correspondent Shahid Soomro was shot dead in front of his house in the town of Kandhkot in the Sindh province. He was shot in the abdomen when he tried to resist five men who wanted to kidnap him.

According to Soomro's colleagues, his reporting had angered a recently elected member of the provincial assembly from Kandhkot Mir Mehmood Bijarani. Colleagues said Soomro had received death threats.

According to details, the two brothers of the Member of the Provincial Assembly-elect Bijarani, Waheed Ali Bijarani and Muhammad Ali Bijarani, and their three accomplices arrived at Soomro's house at midnight and called him to come out of his home. When he came out, the assailants tried to kidnap him. They shot him with Kalashnikov and TT pistols when he resisted and then escaped in a car.

Soomro was taken to hospital in critical condition but died on the way.



According to Kandhkot Police Station Head Moharrar Imdad Chandio, police had arrested the culprits and presented them in a sessions court. However, the issue was resolved between both parties and the victim's family withdrew the case after receiving the Rs1.6 million.

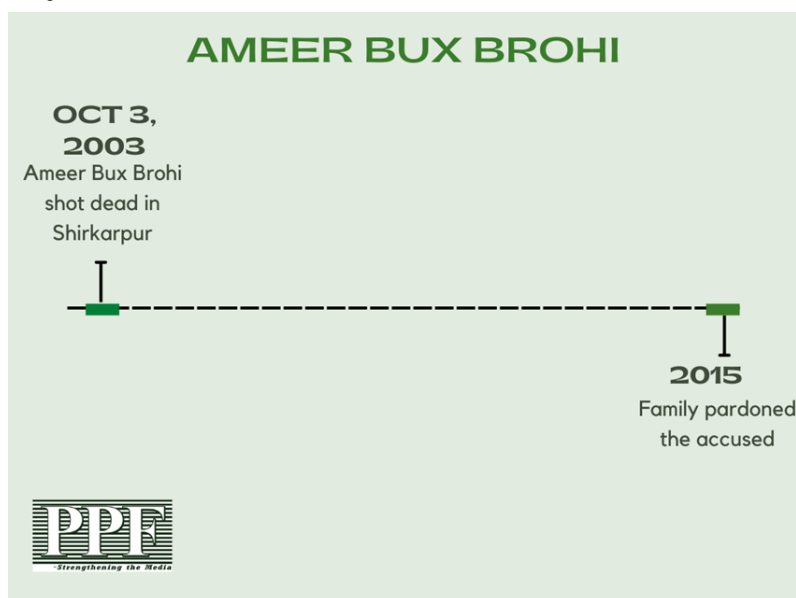
Soomro's cousin Saud Alam Soomro said that his family had settled the matter over monetary compensation. Influential people in the area had suggested that the matter be resolved by a jirga, he said.

On October 28, 2003 a jirga awarded damages of Rs 1.65 million to Soomro's widow and five children.

Ameer Bux Brohi

On October 3, 2003, a reporter for a Sindhi-language newspaper the daily Kawish and Kawish Television News, Ameer Bux Brohi, was shot dead in Shikarpur in Sindh by two unidentified gunmen in front of the local police station.

He was shot five times and was rushed to the Shikarpur Civil Hospital by police, where he succumbed to the injuries.



His case reached an Anti-Terrorism Court in the Jacobabad city, however, his family pardoned the accused in 2015 in return for monetary compensation.

Shikarpur Press Club President Sodho Jams told PPF that he believed that the murder was motivated by Brohi's reporting on sensitive local issues that may have angered feudal strongmen who were from the same cast. He said that the slain journalist wrote about abuses committed by the police and agents of landowners in Shikarpur.

Kawish Editor Muhmmad Niaz said that local landlords were "angry and jealous" of Brohi and killed him. The alleged killers - Shahnawaz Brohi, Zulfiqar Waheed and Ghulam Nabi - were influential people in the area and had been involved in different crimes.

According to Niaz, the alleged killers were jealous as local residents of the area started discussing their matters with Brohi after finding out about their criminal activities. He said that Brohi's family had resolved the matter without consulting them (Kawish).

Shrouded in mystery

Perhaps two of the most high-profile murder cases of Pakistani journalists occurred following their abduction and remain shrouded in mystery to date.

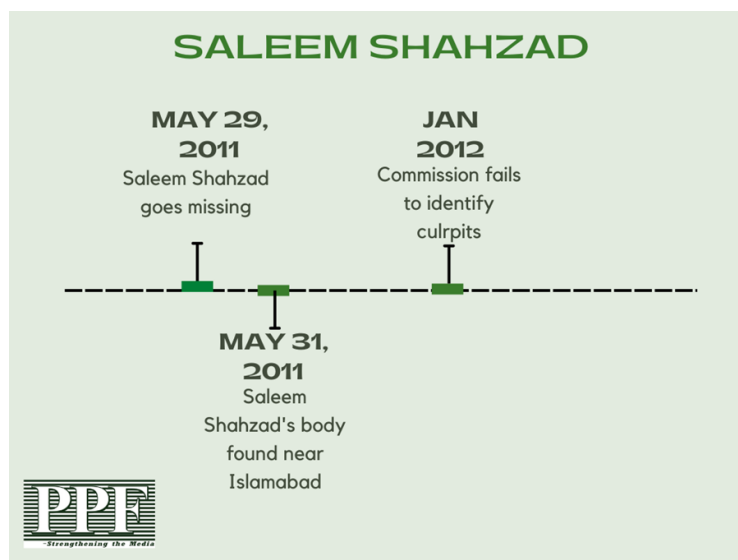
In both the cases of Saleem Shahzad and Hayatullah Khan, once the murder of the journalists was confirmed, condemnations were issued, authorities stepped up to ensure the provision of justice and commissions were formed. However, the fate of both the cases was also the same.

Despite the formation of high-level commissions by the Supreme Court, in both cases, and condemnations across the board, there was no conclusive evidence on who was find behind the murders of Shahzad and Khan. The cases were closed.

Saleem Shahzad

Pakistan Bureau Chief for Asia Times Online and correspondent for Italian news agency Adnkronos (AKI) Saleem Shahzad went missing on May 29, 2011. On May 31, his body was found near the capital city of Islamabad.

Shahzad's body was found floating in a canal in Mandi Bahauddin, a city in Punjab, just 130 km from the capital, Express Tribune reported, adding that his body had "visible torture marks".



According to Dawn, Shahzad was found dead after he had written about links between the Pakistani military and Al-Qaeda. Two days after he wrote an investigative report for Asia Times, he went missing. The report, as per Dawn, said that Al-Qaeda had carried out an attack on a naval air base to avenge the arrest of naval officials arrested on suspicion of Al-Qaeda links.

The spy Inter-Services Intelligence (ISI) had denied being behind Shahzad's kidnapping or murder.

At the time, the prime minister, Yousuf Raza Gilani had called for an inquiry and a commission was set up headed by then Chief Justice of Pakistan Mian Saqib Nisar.

In January 2012, the commission said that it had "failed to identify the culprits," Reuters reported.

"The report stated said that Shahzad's death should be examined the context of the war on terror," Dawn reported.

According to Dawn, the concluding remarks of the inquiry report stated: "The Pakistani state, the non-state actors such as the Taliban and al Qaeda and foreign actors" all could have had a "motive to commit the crime".

However, it stated that the commission wasn't able to identify the perpetrators.

In April 2021, Head Moharar Zakir told PPF that the case had been closed for the time being due to a lack of evidence.

Hayatullah Khan

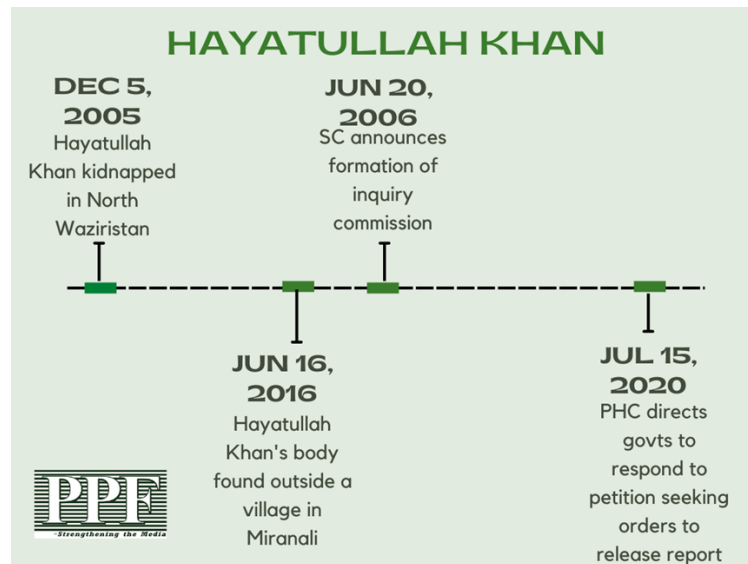
On December 5, 2005, English daily The Nation and Urdu daily Ausaf reporter Hayatullah Khan was kidnapped by five masked men in North Waziristan in the erstwhile Federally Administered Tribal Areas (FATA). Khan was also a photographer for the European Press Agency.

According to Dawn, Khan's family said that he had been "receiving threats and anonymous letters" for some months and was warned not to cover the situation in the tribal areas.

Khan's kidnapping was shrouded in mystery with rumors of him being in the custody of the Taliban, the Americans and Pakistani law enforcement agencies. All denied holding the journalist.

On June 16, 2006, Khan's body was found outside a village in Mirali in North Waziristan.

In an account shared by Dawn, Khan's brother Ihsanullah Khan Dawar said: "He looked very weak, had grown [a] beard while in captivity and wore the same brown clothes he had on when he went missing. He appeared to have received five gunshots, looks like he was shot from behind while attempting to escape."



Days after Khan's body was recovered, on June 20 2006, the Supreme Court had announced the formation of an inquiry commission.

The report of the judicial commission has not yet been released.

On July 15, 2020, the Peshawar High Court directed federal and provincial governments to respond to a petition seeking orders to release the report of a judicial inquiry into Khan's abduction and death.

However, Khan's brother Ihsaan said he never received a copy despite filing a petition in Peshawar seeking the report in October 2020, which was dismissed.

Speaking to PPF in October 2022, Ihsaan said that they were going to submit another petition along with the Freedom Network seeking a copy of the report. This time the petition would be submitted to the Islamabad High Court.

Reinvestigations

In two significant instances, the role of the civil society and non-governmental organizations in urging authorities to look into a murder of a journalist and re-open investigations has been highlighted.

In the cases of both Zubair Mujahid and Shan Dahar, there was pressure from specific NGOs and civil society organizations to open reinvestigations.

In the case of Dahar, a re-investigation was opened, however, it has not yet resulted in any progress.

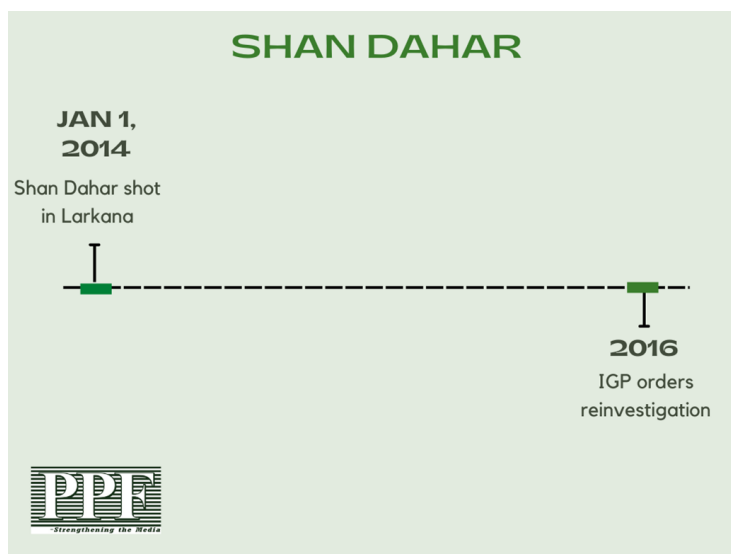
Ultimately if the impunity in murders of journalists is to be tackled, initial investigations and in particular reinvestigations need to reach their logical end with either convictions or some form of conclusion to the investigation.

Shan Dahar

On January 1, 2014, Zakir Ali - known as Shan Dahar - Bureau Chief of Abb Takk Television channel in Larkana district of Sindh was shot by armed men and taken to a local hospital where he remained unattended until his passing.

By the time the medical superintendent got to the scene and Dahar was transferred to Chandka Hospital in Larkana, the journalist had lost a considerable amount of blood. That, coupled with a gross lack of medical attention, cost Shan his life. Before he breathed his last, some nine to ten hours later, he alleged that the influential Zehri family was behind the attack.

Sharing the details of incident with PPF, Fauzia Dahar, Shan Dahar's sister, had said that her brother was shot in the back at 12:30am on the midnight of January 1, 2014, and was taken to Chandka Medical College Hospital where he remained unattended by doctors deliberately allegedly because he was working on the illegal sale of medicines which were not for sale. As a result, he succumbed to his injuries in the morning, nine hours later.



Shortly before his death, Dahar had broadcast a story on drug sales. At the time that he was killed, Dahar was working on a report about the unauthorized sale of pharmaceutical medicines in the area, medications allocated by a local NGO for the poor were being resold illegally.

While at the hospital, Dahar informed his friends and family by telephone that Amir Zehri and Irfan Zehri had shot him in the back. Dahar's sister said that due to political influence by local powerful influential persons, police were reluctant to arrest the real killers.

The police and hospital had formed separate teams to investigate Dahar's murder, The Express Tribune reported. The Sindh government also formed a team for an investigation into the murder, Dawn reported.

Police had declared Dahar's death an accident, despite strong evidence that he had been intentionally targeted and that the initial investigation had been compromised by political influence.

As the result of successful lobbying from Dahar's family, Council of Pakistan Newspaper Editors (CPNE), Larkana Press Club and PPF, the Inspector General of Police ordered a reinvestigation in April 2016.

Six years later, despite the opening of a reinvestigation, there has been no progress in Dahar's case.

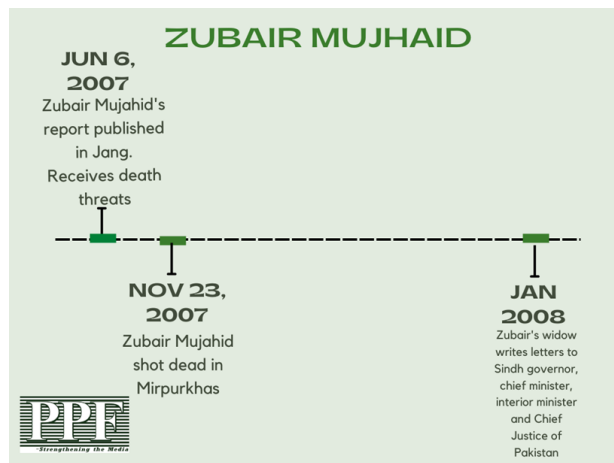
Speaking to PPF, Dahar's sister, Fauzia, said that there has been no progress in the case. She said that the police were not cooperating and the case could only proceed when the police did so.

Speaking in October 2022, she recalled that the last court proceeding had been held around 1.5 years ago.

Zubair Mujahid

On November 23, 2007, Urdu language daily Jang correspondent Zubair Mujahid was shot dead while traveling on a motorcycle with another journalist in Mirpurkhas, Sindh.

Mujahid was shot in the stomach by a man on a motorcycle as he was returning home by car with Wahid Hussain, the vice-president of the Mirpurkhas Press Club. He died instantly.



A veteran reporter, Mujahid wrote a weekly column for Jang called Crime and Punishment in which he often criticized landowners and police. After one of his articles about the mistreatment of members of a low caste by landlords, the Supreme Court ordered the suspects be arrested. Another of his reports led to arrests of local policemen involved in violence against villagers.

"Our family does not have any family conflicts," his brother, Muhammad Iftikhar, said. "My brother wrote articles about the fate of the poor which obviously targeted influential people."

Mujahid was believed to have been murdered for his reporting on issues like bonded labor and private torture cells, allegedly run by local landlords with the support of police.

In response of his report published in Jang on June 6, 2007 about torturing of two brothers namely Noor Mohammad and Nangar Keerio by then Station House Officer, Assistant Superintendent Police and their driver in Mirpurkhas, Mujahid received death threats.

Following his murder, Mujahid's family has sought justice. His widow, Rasheeda Zubair, had written letters to the then governor of Sindh in January 2008; Sindh Chief Minister in June 2008; Chief Justice of Pakistan and former Sindh Interior Minister requesting them to give her justice but she did not receive a response.

His case has not yet been submitted in any court by the police. It is pending before the Crime Branch Hyderabad.

A Safer World for the Truth report has highlighted gaps into the investigation of Mujahid's murder and called for an reinvestigation to be opened.

A lack of progress- 'A Class' cases

In order to track impunity, PPF routinely follows up on the status of cases regarding the murder of journalists. This allows us to track the progress, if any, made in the status of a case and also create awareness about the culture of impunity that surrounds these cases.

During these investigations, most of the cases had investigations opened with little progress or the cases had been closed due to a lack of progress. One category of cases we found was where due to a lack of progress, cases had been classified in the 'A Class' category.

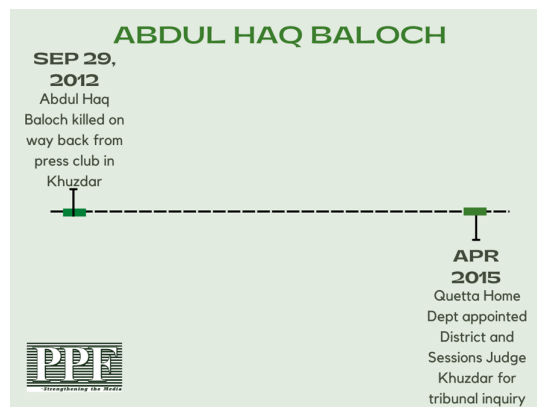
An 'A Class' case is defined as "to those cases in which accused persons are unknown or untraceable," Dawn reported.

Abdul Haq Baloch

On September 29, 2012, ARY News correspondent and Khuzdar Press Club Secretary General Abdul Haq Baloch was killed while on his way back from the press club in Khuzdar, a city in the Balochistan province.

Four masked men on motorcycles opened fire on his car, approximately 100 yards away from the press club. Baloch was taken to the hospital where he died of severe injuries while under treatment.

Haq had been threatened along with five other journalists in Khuzdar in November 2011 by a banned militant organization for not giving them coverage. However, no group claimed responsibility for his murder.



After his death, police had registered a criminal complaint against unidentified gunmen at the Khuzdar Police Station.

At the time, Interior Minister Rehman Malik had announced the formation of a judicial inquiry to investigate the murder. In April 2015, the Quetta Home Department had appointed the District and Sessions Judge of Khuzdar for the tribunal inquiry on the murder of slain journalists, however, despite this the perpetrators of the attack were not identified.

Baloch's brother Abdul Razzaq said that the family had not been informed of any findings of the tribunal inquiry.

Speaking to PPF, Station House Officer of City Police Station Amanullah had said that the case had been classified as an A Class case.

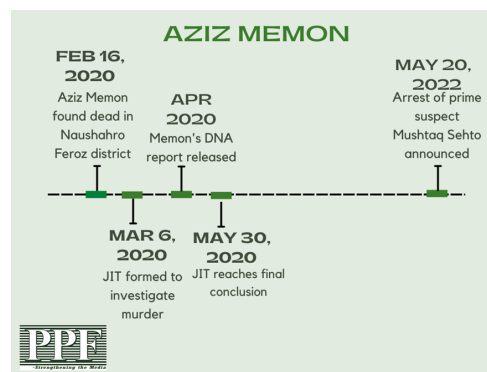
Arrests

While convictions and progress in cases is still a rare occurrence in Pakistan when a journalist is murdered, there are often arrests of suspects. A case that has illustrated the role of arrests has been the case of the murder of Aziz Memon.

Aziz Memon

On February 16, 2020, the body of KTN news channel and Sindh daily Kawish journalist Aziz Memon was found in a water channel in Mehrabpur in the Naushahro Feroze district of the Sindh province.

According to Dawn, Memon had asked a cameraman he worked with to drop him off at a location where he was to attend a ceremony. His body was later spotted in the canal by villagers.



As per the report, Memon had "often received threats of dire consequences during his 30-year-long career". One such threat was from a Member of the National Assembly, after which he left his hometown and moved to Islamabad for a while, the report said.

Additionally, a year prior to his death, the journalist had released a video in which he said that officials from the Pakistan People's Party, along with local police had threatened him for his reporting. Memon's report had included the allegation that people were paid to attend the PPP chairperson Bilawal Bhutto Zardari's train march.

According to a post mortem report, Memon's death occurred due to asphyxiation.

On March 6, 2020, a joint investigation team was formed by the provincial government to investigate the murder.

In April 2020, Memon's DNA report was released, which according to Dawn, had "found traces of some other human DNA". A month later, on May 30, Dawn reported that the JIT had reached its final conclusion that the case was a "well-planned murder".

Three suspects - Nazeer Sehto, Ameer Sehto and Farhan Sehto - were arrested. At this time, the prime suspect, Mushtaq Sehto and four other individuals alleged to be accomplices were still at large.

In June, two more suspects - Zafar Sehto and Zulfiqar Sehto - were booked for Memon's murder and sent to jail on judicial remand.

Nearly two years later, on May 20, 2022, Sindh Information Minister Sharjeel Memon announced that Mushat Sehto was arrested in the desert area in Shaheed Benazirabad district.

Recommendations

- Pakistan now has legislation that specifically pertains to the safety of journalists. This law exists at a federal level as well as a separate law has been passed in the Sindh province. In previous years, such legislation did not exist and therefore the legal measures or steps that a media professional could take in the instance of an attack were also limited. With the passage of these laws, there is a step-by-step path laid out for what is required of the state when a journalist is attacked in any way including murdered. For these laws to become effective, the Commissions required under them need to be formed. However, even till they are, the laws are still in place and provide a recourse for journalists or their families in case of such an incident. The media must be educated about these laws and make use of them in order to ensure justice.
- Pressure from civil society and press freedom advocacy groups has proved to be an effective tool in urging a response from the state and in at least two instances in opening up reinvestigations into the murder of a journalist. There is a plethora of cases of murdered journalists stuck in courts with little progress. A systematic push for reinvestigations where they are possible and a push to reopen these cases may result in possible convictions or progress in the cases. It is an avenue that must be considered.
- It is necessary for the issue of impunity in crimes against journalists particularly when it comes to the murder of journalists to be raised and highlighted time and again. In a country where murders are routine, it is difficult to maintain the interest of authorities or the public. Press freedom advocates and the media must make sure that impunity specifically in the murder of journalists is highlighted so that it is considered a subject worthy of public interest and tackled.
- In order to ensure progress in cases of murder of journalists, there needs to be a clear link established between the occurrence of a murder and a journalist or media professional's work. This makes a murder directly related to a journalist's work and this link is critical to establish. If a journalist is murdered but it is not in connection with their work, while their death is condemnable, it must be separated from those murders that are targeted due to one's work. This makes the process of recording, following up on and ensuring progress in cases simpler by working with a base of established connection to a media professional's work.
- Working with family members of victims, civil society organizations both locally and internationally can highlight cases where there has been no progress in court proceedings. Through cooperative efforts, as have been seen in the case of Shan Dahar's murder, it is possible that reinvestigations may be opened and lead to progress.

- Media organizations who have lost employees due to targeted attacks must be part of the process of ensuring justice through following up on court proceedings, supporting families in their quest for justice, and issuing at least annual commemorations for the slain journalists.
- The burden of seeking justice, attending court hearings, going after police to follow up on a case, often falls on the family of a slain journalist. This is expensive and exhausting particularly for those who have lost a loved one, often the main breadwinner of a family. Impunity is likely to remain high until the families of victims are not supported both financially and in keeping momentum on a case over the years.
- While the mechanisms to tackle impunity require significant work, the first priority remains the protection and safety of journalists. The role of preventive and protective measures to ensure that journalists are not murdered remain of key importance. This ensures that the stage of tackling impunity is not reached as crimes such as the murder of journalists are prevented from happening.

Conclusion

In Pakistan, over the years the murder of journalists has become a less common form of silencing the media. While the number of murders or targeted killings of the media has significantly fallen in recent years, the attempted murders or targeted killings still take place. Additionally, the impunity that surrounds the murder of journalists over the past 20 years continues to plague the fight for press freedom and free expression in the country.

The culture of impunity that surrounds the killing of journalists in Pakistan has remained constant over the years. Despite the hue and cry that is initially raised when there is a murder or an attempted murder or other forms of attacks on a media professional, in the long run, impunity prevails.

As demonstrated in this report, the roots of this impunity are reflected in the cases of slain journalists. Whether it is through settlements via blood money or through the closing of a case without any outcomes, the victims and their families are left without justice.

Through pressure and constant campaigning, civil society has been able to highlight and in at least one instance urge reinvestigation into the case. However, this does not always bear fruit. The rate of convictions for the killing of journalists remains at a low level with just five convictions over the course of 20 years.

While the reality of the situation presents a grim picture for the future of impunity in similar crimes, the use of legislation that has recently been passed for the safety of journalists and media professionals, is a key tool that the media can use in ensuring and pushing for an end to impunity in these cases.

As we look at the sources and nature of impunity in the murder of journalists, it is important to maintain a focus on preventing crimes against journalists including their murder so that we do not reach the stage where tackling impunity is required. The safety of journalists remains of prime importance.

In tackling impunity, increased pressure via awareness campaigns, working alongside partner organizations including legal bodies to challenge stagnant cases and to urge authorities to share investigations, reopen cases and ensure justice can be utilized as tools in attempting to tackle the nature of impunity.



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