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Print ISSN: [3006-2497](#) Online ISSN: [3006-2500](#)Platform & Workflow by: [Open Journal Systems](#)<https://doi.org/10.55966/assaj.2025.4.1.076>**Comparative Study: Pakistani Media Laws vs. International Free Speech Norms (UN, EU, US)****Irtaza Hassan****(Corresponding Author)**

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The freedom of press and independence of the media are the landmark components of the democratic world, but their construction and application differ greatly in different jurisdictions. In this study, the researcher undertook comparison of media laws in Pakistan to that of the international norms of free speech in terms of norms that were set at the United Nations, the European Union as well as the United States. Though Article 19 of the Constitution of Pakistan supposedly gives citizens freedom of speech, there are numerous and broad restrictions imposed by numerous legislations, including the Pakistan Electronic Media Regulatory Authority (PEMRA) Ordinance, the Prevention of Electronic Crimes Act (PECA) 2016, and others, as well as sedition and defamation laws. Such tools have created a situation of widespread censorship, monitoring and closing down of expression of alternate opinion particularly in the name of religious security or national security or in the name of maintenance of order.

In contrast, the international standards, especially the ones in the Universal Declaration of Human Rights (UDHR) and the International Covenant on Civil and Political Rights (ICCPR) adhere to proportionality and necessity in restricting free speech. Europe European norms, especially in the European Convention on Human Rights (ECHR) and jurisprudence of the European Court of Human Rights (ECtHR), have envisaged strong criteria of acceptable speech restrictions, which balanced societal interests with individual rights. The same can be said about the United States, whose understanding of the free speech under the First Amendment implies a nearly absolute principle according to which prior restraint and content-based limitations are put to the highest standard of examinations.

This paper determines the gaps of the law, institutional and normative between Pakistani regulations of media and the international. It points to the unclarity of the legislative drafting, the excess in use of executive authority and the absence of judicial independence, which are systematic factors that lead to media freedom violations in Pakistan. It further talks about the jurisprudential difference as Pakistani courts have been found to be deferential to state power whereas international courts have been more focused on rendering rights-oriented meanings. By using comparisons of cases and analysis of the law in doctrine, the paper highlights the significance of harmonizing domestic legislations with the international lines so that democracy values are enhanced, hence guarding the reputation of Pakistan as far as human rights are concerned, internationally.

The paper finishes with the recommendation of structural reform like reconstitution of PEMRA as an independent institution, repealing or amending overbroad provisions in the statutes and initiative involvement of UN treaty bodies. The reforms would be fundamental in inculcating a media environment that constitutes accountability, pluralism and citizen engagement. Finally, the study is also aimed at contributing to the on-going debates regarding the importance of legal reform, media independence and the tendency of Pakistan to follow its agreements on the international level.

Introduction

The right of the press and the free right to speech are staples of democracy as well as they are framed by the Constitutions, acts, and international law acts. Media today are found to be a fundamental part in the informing people in a globalized, digitized world, and also help keep power accountable, supporting civic participation, and making the government accountable. The freedom of speech however does not come without limit. In various jurisdictions, the right is also restricted by various considerations such as national security, morality and order. This balance in a state between safeguarding the state and the individual liberty differs a great deal, especially among the developing countries like Pakistan and liberal democracies like the European Union (EU) and the United States (US) and also in the form of international regulation of human rights as propagated by the United Nations (UN).

Article 19 of the Constitution of Pakistan assures the freedoms of speech and expression but provides it to be subjected to reasonable restrictions on grounds such as honor of Islam, defense of Pakistan and maintenance of law and order.¹ The use of these ambiguous qualifications has been heavily relied on by the states to exercise control over the narration within the media. The Pakistan Electronic Media Regulatory Authority (PEMRA) and the Prevention of Electronic Crimes Act (PECA) 2016 perform the important role of giving the executive extraordinarily broad powers, usually to the point of censorship, surveillance and silencing the opposition.² The judiciary in Pakistan has also upheld most of such restrictions previously mainly on grounds of national interest and morality within the society thus a little protection of press freedom by the judiciary.

¹ "Chapter 1: 'Fundamental Rights' of Part II: 'Fundamental Rights and Principles of Policy,'" accessed July 21, 2025, <https://www.pakistani.org/pakistan/constitution/part2.ch1.html>.

² "Chapter 1: 'Fundamental Rights' of Part II: 'Fundamental Rights and Principles of Policy.'"

The international legal environment, in its turn, offers stronger protections. The United Nations, in treaties and conventions, such as the Universal Declaration of Human Rights (UDHR) and the International Covenant on Civil and Political Rights (ICCPR) focuses on emphasis of a right to a freedom of expression but with strict limited restrictions.³ In the EU the European Court of Human Rights (ECtHR) has developed a robust jurisprudence under Article 10 of the European Convention on Human Rights (ECHR), protecting speech, in particular in areas of public interest or political speech.⁴ On the same note, the First Amendment Case law in the United States has placed a high bar in government intrusions into speech, and does not permit the vast majority of content-based regulations and some forms of prior restraint.⁵

This paper will seek to conduct comparative analysis between the media regulatory measures in Pakistan and the international free speech standards with the view to determining the levels of compliance or deviation. The study goes further to discuss the effects of institutional design, constitutional interpretation, and political culture on regulation of media. It ends with offering the recommendations to harmonize Pakistani media legislations to international provisions in order to have democracy and human rights observation.

Legal Framework of Media in Pakistan

The legal environment controlling media in Pakistan includes statutory provisions, constitutional provisions and the regulation bodies. Although the right to free expression is apparently stipulated in the state, the mechanics of enforcing the intentions of the laws involved usually amounts to an institutionalized contraction on the impartiality of the media and freedom of the press. In this section, the major legal documents that regulate the media in Pakistan are reviewed on how they have various structural and operational limitations when it comes to free speech.

Constitutional Provision: Article 19

Article 19 of the Constitution of Pakistan states that, it is the right of every citizen to the freedom of speech and expression, and that there shall be freedom of the press, with the following reason allowed as exceptions to the freedoms of speech and the press, that the freedom of the press and speech shall be subject to such reasonable restrictions as may be imposed by law in the interests of the glory of Islam, integrity, security or defense of Pakistan, public order, decency or morality, or in relation to contempt of court, or incitement to an offence.⁶ Such broad based and vague exceptions have allowed successive governments to shut out dissenting voices citing national interest or offense of religious sensibilities.

In contrast to the international principles which require the application of narrow, precise and necessary restrictions on speech, the Pakistani constitutional system provides a broad discretion which in most of the cases results in arbitrary application. To provide an example, any negative

³ "International Covenant on Civil and Political Rights | OHCHR," accessed July 21, 2025, <https://www.ohchr.org/en/instruments-mechanisms/instruments/international-covenant-civil-and-political-rights>.

⁴ "Guide on Article 10 of the European Convention on Human Rights | Global Freedom of Expression," accessed July 21, 2025, <https://teaching.globalfreedomofexpression.columbia.edu/resources/guide-article-10-european-convention-human-rights>.

⁵ Munazza Fatima and Arooj Goheer, *INSPIRING THE NEXT GENERATION OF INDEPENDENT MEDIA IN PAKISTAN JULY 202*, n.d.

⁶ "ARTICLE 19 - PhMuseum," accessed July 21, 2025, <https://phmuseum.com/projects/article-19>.

remarks towards the military and the judicial system may be interpreted as a threat to national security or to social order, and as such, they can be censored according to the Constitution.⁷

Regulatory Authorities: PEMRA and PTA

Originally, the Pakistan Electronic Media Regulatory Authority (PEMRA) set up in 2002 through the PEMRA Ordinance 2002 was mandated to develop an independent and free electronic Media. Nonetheless, the authority has to a large extent served as an instrument of state influence especially in a period when there is a political crisis or an electoral period.⁸ It has regularly done so without any open proceedings and without judicial review and it possesses the potent weapons to destroy a license or impose hefty fines and to censor the content of broadcasting. Moreover, the CTO, under the PECA Act 2016, granted discretionary powers to the Pakistan telecommunication authority (PTA) to block digital content that an authority considers “offensive or against interest of the state,” often block opted by journalists, bloggers and the online community of dissidents.⁹

Penal Laws and Defamation Statutes

A number of clauses of the Pakistan Penal Code (PPC) such as clauses 124-A (sedition), 295-A (blasphemy), and 505 (statements conducing to public mischief) are being used frequently to gag those voices held against the media. Such laws are not only ambiguous; they impose harsh punishment as in imprisonment and chill the process of free discourse. Also, criminal defamation laws and civil defamation laws are employed tactically to silence investigative journalists.¹⁰

The PECA Act has made these problems even worse that it also puts forward vague crimes such as cyber-terrorism, spreading fake news, and glorification of crime, and none of such crimes have definite limits. Such loose wording grants the government the freedom to suppress journalism and civic activism on the Internet.

Conclusively, although Pakistan recognizes the significance of free speech through the law, its legislation on the media is characterized by overbroadness of prohibitions, low degree of institutional autonomy, and lacks a proportional application. This combination of laws has created a limiting atmosphere in which the media lacks benefit, pluralism, transparency and accountability

International Norms on Free Speech and Media Freedom (UN, EU, US)

The international legislative system protecting freedom of expression and the freedom of the media finds its foundations in numerous and well-established human rights treaties, as well as in jurisprudence elaboration. Global standards are developed by the United Nations, which is there to protect people, but such issues are better guarded by achieving legal and judicial

⁷ “Right to Privacy and Freedom of Expression in the Constitution of Pakistan | SpringerLink,” accessed July 21, 2025, https://link.springer.com/chapter/10.1007/978-3-031-45575-9_4.

⁸ “Censorship vs. Freedom of Speech: Analyzing the Role of PEMRA in Regulating Pakistani Media | International Research Journal of Management and Social Sciences,” accessed July 21, 2025, <http://irjmss.com/index.php/irjmss/article/view/389>.

⁹ Zeeshan Qasim and Robina Roshan, “Freedom Of Speech Or Political Slogan? A Case Study Of Media Censorship In Pakistan,” *Migration Letters* 21, no. S10 (2024): 1269–73.

¹⁰ “Pakistan: Right to Freedom of Religion or Belief under Sustained Attack | ICJ,” accessed July 21, 2025, <https://www.icj.org/pakistan-right-to-freedom-of-religion-or-belief-under-sustained-attack/>.

protections available in specific regions, like the European Union and the United States. This section will detail the main principles and legal developments in each of these jurisdictions which will provide a basis against which legislation regulating the media in Pakistan can be compared.

United Nations Standards

The UN acknowledges freedom of expression as part and parcel of the democratic society. The universal declaration of human rights (UDHR) stipulates in article 19 that, someone has the right to freedom of opinion and expression and to demand, receive and give information and ideas through any media available.¹¹ This idea became enshrined in law in the International Covenant on Civil and Political Rights (ICCPR) to which Pakistan acceded in 2010.

The ICCPR does allow restrictions, albeit only where they are prescribed by law and are necessary, in the interests of the rights or reputations of others, or the protection of national security, public order or of health or morals.¹² The UN Human Rights Committee (HRC) charged with overseeing the application of the ICCPR has on many occasions indicated that such restrictions should be strictly judged narrowly and should satisfy the legality, necessity and proportionality tests.¹³ The Committee has also reprimanded the states on using abstract concepts such as national interest to suppress dissent and media freedom.

European Union Framework

In Europe, media freedoms are safeguarded by Article 10 of the European Convention on Human Rights (ECHR), that enshrined a right to hold opinions and to receive or impart information and ideas without any interference through action of a public authority.¹⁴ The Convention allows limitations, but they should not be any arbitrary; they should rather be prescribed by the law and necessary in a democratic society.

The European Court of Human Rights (ECtHR) has created an extensive case law explaining these safeguards. In such landmark cases as *Handyside v. Lingens v. and United Kingdom. Austria*, the Court pointed out that the freedom of expression covers not only the favorably welcomed so-called information or what one prefers to call it as ideas and opinions, but also the offending, shocking or sometimes the disturbing one.¹⁵ In addition, the ECtHR has confirmed the watchdog status of the press, disposing that the freedom of journalism implies the right to certain extent exaggeration and provocation.

¹¹ "United Nations Universal Declaration of Human Rights: What Are Human Rights? : Youth For Human Rights Video," accessed July 21, 2025, https://www.youthforhumanrights.org/what-are-human-rights/universal-declaration-of-human-rights/introduction.html?gad_source=1&gad_campaignid=141393804&gbraid=0AAAAADxX6txNltV2WK7fzWrmcUuwvevh11&gclid=Cj0KCCQjwyvfDBhDYARIsAltzbZEoBIBk6nLrx9cf3yQCRC-HOums5VBYnYiFJvJDLKdb_y3oG8xRodEaAgIkEALw_wcB.

¹² "International Covenant on Civil and Political Rights | OHCHR," accessed July 21, 2025, <https://www.ohchr.org/en/instruments-mechanisms/instruments/international-covenant-civil-and-political-rights>.

¹³ "Gc34," n.d.

¹⁴ "European Convention on Human Rights - Article 10 | European Union Agency for Fundamental Rights," accessed July 21, 2025, <https://fra.europa.eu/en/law-reference/european-convention-human-rights-article-10>.

¹⁵ "HANDYSIDE v. THE UNITED KINGDOM," accessed July 21, 2025, [https://hudoc.echr.coe.int/#%22itemid%22:\[%22001-57499%22\]](https://hudoc.echr.coe.int/#%22itemid%22:[%22001-57499%22]).

United States First Amendment Doctrine

The United States probably offers the best constitutional guarantee to free speech in the world, as provided in the First Amendment, to wit, that Congress shall make no law abridging the freedom of speech, or of the press. Practically, the U.S. courts have used stringent scrutiny to the content-based restraints leading to a situation where the prior restraint before publication is near impossible to defend.

The Supreme Court was well known to have granted the press the right to publish classified information in the now so-called Pentagon Papers case, *New York Times Co. v. United States* (1971), which involved the publishing of the Pentagon Papers by the New York Times.¹⁶ Also, the U.S. courts have been hesitant to award defamation claims against the press and famous people, instead tending to step forward with the custom that a free discussion on matters of a collective interest should be unrestrained, exaggerated, and uncurbed.”¹⁷

International norms mean that despite the fact that states have a wide mandate to exercise censorship of media as well as prosecution of dissidents in Pakistan, all restrictions must be based on strict legal standards, such that freedom of media is enjoyed beyond just having it as a constitutional guarantee.

Comparative Analysis

Variances between the media regulation framework in Pakistan and free speech in the international community are structural and ideological. Whereas every legal regime tolerates some limitation of the freedom of expression, international norms focus on necessity, proportionality, and legal specificity, which are not characteristic of the regulatory system of Pakistan. This section is a critical exploration of the disparity of the legal philosophies of law, institutional protection, and enactment of media laws between Pakistan, the UN system, the EU and the United States.

Normative Foundations

The inception of the forking point is constitutional and normative adherence to freedom of expression. Article 19 of Pakistan opens to a humongous realm of undefined exceptions, including everything, such as morality and decency right up to the glory of the Islam and national interest.¹⁸ This has offered the room to have ambiguous and discretionary enforcement unlike the international and Western systems which demands clarity and justifiable reasons to any restraint on speech. As in the ICCPR system, every restriction should meet a three-fold test to be accepted as lawful, necessary and proportional. This also requires all laws to be precise, ensured by legitimate goals, and proportional in their effects.¹⁹ The laws of Pakistan commonly do not pass this test as several different laws having different authorities and scope to censor or penalize the media operation are there even without grant of permission by the court.

¹⁶ “*New York Times Co. v. United States*, 403 U.S. 713 (1971),” Justia Law, accessed July 21, 2025, <https://supreme.justia.com/cases/federal/us/403/713/>.

¹⁷ “*New York Times Company v. Sullivan*,” Oyez, accessed July 21, 2025, <https://www.oyez.org/cases/1963/39>.

¹⁸ “ARTICLE 19 - PhMuseum.”

¹⁹ “Gc34.”

Institutional Independence and Oversight

The other significant dissimilarity is the media regulatory authorities and their independence. In Pakistan, PEMRA and PTA are under the executive control, which lacks institutional autonomy or transparency and accountability measures.²⁰ The international rules especially in the EU mandate the independence of the media regulators and they should not be subjected to political influence. The Recommendation CM/Rec (2018)1 of the Council of Europe, as an example requires independent media agencies to be functional and financially independent, and it encourages transparency and equitability in the regulation of such entities.²¹ This institutional integrity checks that not to suppress but to secure the freedom of the press, the regulatory powers are exercised.

Use of Restrictive Laws

Pakistan has one of the most extensive uses of penal statutes as an instrument of control of speech, including sedition (PPC s.124-A), cybercrime (PECA s.20) and laws relating to blasphemy in application against journalists and members of civil society. Such rules are not well outlined and are usually abused by being used to oppress the opposition or communities. International human rights law, on the contrary, frowns upon criminalization of speech unless it is used to directly incite violence or directed against a certain group in the form of a clear and present danger.

Judicial Interpretation and Enforcement

Although the government of Pakistan has on other occasions made the Pakistan judiciary make decisions in favor of media rights, the track record of the judiciary is inconsistent with appreciating the wishes of the state in cases that relate to national security or religion. In general, the international and western courts have taken a more protective approach to speech, with special focus on the press as a very important element of democratic accountability. Nonetheless, because this paper is not concerned with courts, it is enough to mention that in reality the success of legal protection crucially depends on how vividly and boldly smugglers are challenged by the courts

Scope of Protected Expression

Lastly, the extent of what is considered as a protected speech also varies drastically. The norms on the international level value political, journalistic, and artistic speech, and even expressly state that satire, criticism and opposition are a fundamental part of democracy. By contrast, the framework in Pakistan does not protect these categories of speech in any special way, which makes them especially susceptible to restriction or punishment. The absence of the positive attitude towards critical discourse contributes to the system of self-censorship which suppresses the democratic role of media.

²⁰ "Historical Evolution of Media Laws in Pakistan by Hafiz Muhammad Salman :: SSRN," accessed July 21, 2025, https://papers.ssrn.com/sol3/papers.cfm?abstract_id=4746518.

²¹ "Recommendation CM/Rec(2018)1[1] of the Committee of Ministers to Member States on Media Pluralism and Transparency of Media Ownership - Freedom of Expression," accessed July 21, 2025, https://www.coe.int/en/web/freedom-expression/committee-of-ministers-adopted-texts/-/asset_publisher/aDXmrol0vvsU/content/recommendation-cm-rec-2018-1-1-of-the-committee-of-ministers-to-member-states-on-media-pluralism-and-transparency-of-media-ownership.

Challenges in Harmonizing Pakistani Laws with International Norms

Although Pakistan is a signatory to some of the major international documents to do with free speech, like the ICCPR, there is a little convergence with international laws in as far as the national laws are concerned. The causes are very complex and include legal, political, cultural, and institutional aspects. This part highlights the major obstacles that have hindered the process of aligning the media laws in Pakistan with the international policies of freedom of speech.

Broad National Security Paradigm

The Pakistani regulatory culture is rooted in strong beliefs in national security paradigm where the matters of sovereignty, the anti-state action and the threats to law and order take precedence over the rights of individuals.²² This securitized attitude regards as a potential threat even the dissident discourses, such as investigatory journalism, political criticism. As a result, the government has found an easy way of defending its censorship practice by citing to the need to uphold a sense of order within the society or guarding the dignity of state organs. This stands in direct conflict with international norms that restrict limitations on speech to those that are strictly necessary and proportionate.²³

Religious Sensitivities and Legal Absolutism

The other major issue is the aspect of religion and expression. The blasphemy laws in Pakistan, as well as the constitutional provisions that emphasize on the glory of Islam, do not contain any element of equalizing conflicting rights.²⁴ Although international law, in addition to hate speech or incitement of aggression, permits restrictions on the freedom of thought and expression, it guarantees the criticism of religion and its discussion. Conversely, the legal framework in Pakistan considers religious criticism as a red line and suppresses free speech to the great danger of media participants.

Legal Pluralism and Inconsistent Frameworks

The legal system of Pakistan is marked by the overlapping laws, ambiguous definitions, and the various powers which have some parallel authority to control the media contents.²⁵ Such legal pluralism causes confusion, over regulation and unequal enforcement. As an illustration, although PEMRA has control over the electronic media, PTA over digitized content whereas PEMRA and PTA can do things at once without any judicial interference. The absence of a

²² "Understanding the Rise in Violent Extremism in Pakistan through the Lens of Securitization Theory: Asian Journal of Political Science: Vol 0, No 0," accessed July 21, 2025, <https://www.tandfonline.com/doi/abs/10.1080/02185377.2024.2417994>.

²³ "Recommendation CM/Rec(2018)1[1] of the Committee of Ministers to Member States on Media Pluralism and Transparency of Media Ownership - Freedom of Expression - WwW.Coe.Int," Freedom of Expression, accessed July 21, 2025, https://www.coe.int/en/web/freedom-expression/committee-of-ministers-adopted-texts/-/asset_publisher/aDXmrol0vvsU/content/recommendation-cm-rec-2018-1-1-of-the-committee-of-ministers-to-member-states-on-media-pluralism-and-transparency-of-media-ownership.

²⁴ Sohail Aftab, "Right to Privacy and Freedom of Expression in the Constitution of Pakistan," in *Comparative Perspectives on the Right to Privacy: Pakistani and European Experiences*, ed. Sohail Aftab (Springer Nature Switzerland, 2024), https://doi.org/10.1007/978-3-031-45575-9_4.

²⁵ Sohail Aftab, "Recommendations: A Privacy Law for Pakistan," in *Comparative Perspectives on the Right to Privacy: Pakistani and European Experiences*, ed. Sohail Aftab (Springer Nature Switzerland, 2024), https://doi.org/10.1007/978-3-031-45575-9_7.

common legal text hinders the possibility to consider coherent human rights standards or assess limits on the international criteria.

Political Will and Institutional Weakness

In attaching international obligations there is sometimes a lack of political will to engender legal reforms or to rein-in independent institutions even when there is awareness of the duty. There has been no freedom to establish independent bodies since there is direct influence by the executive on such regulatory institutions as the PEMRA and the PTA.²⁶ In addition the owners of the media and Journalists themselves are frequently subjected to political intimidation, prosecution and judicial maneuvers or financial control that undermines the institutional environment within which freedom of expression can flourish.

Socio-Cultural Constraints and Public Perceptions

This is a dilemma concerning the attitude of freedom of speech in Pakistan among people. Unregulated speech is considered by many strata of society as a form of absence of morality, disrespect to religious views, or political turmoil. This view renders it politically dangerous to Law-makers to support such international standards-based reforms. Consequently, the legal norms, which would otherwise promote freedom of expression, are mostly seen with a suspicious eye or as a Western imposition.

Recommendations for Reform

A convergence between the Pakistani media laws and universal standards of free speech primarily demands that changes should be done legally, institutionally, and socially. It is not just about the revision of law but also a redesign of regulatory bodies and structural change of the way the population and politicians think of the freedom of expression. The five major areas that have to be urgently reformed are as below.

Legislative Revisions for Precision and Compliance

The media laws in Pakistan need to be considerably revised to do away with ambiguity and broad words that allow discretionary censorship. Such phrases such as those against the glory of Islam, public interest and national morality must be well defined in statutory terms to avoid any arbitrariness.²⁷ More so, the repealing, or substantial amendments to certain clauses of the law, e.g., the Section 20 of the PECA (criminal defamation), and the Section 124-A of the Penal Code (sedition), should be done so that they align with the Article 19 of the ICCPR.²⁸ Certainty by the legislative process would help in achieving the Provision of repression of expression that contains the aspects of legality, necessity, and proportionality.

²⁶ "Balancing Act: Pakistan's Quest for Responsible Social Media Regulation 3 Pakistan Journal of Law, Analysis and Wisdom 2024," accessed July 21, 2025, <https://heinonline.org/HOL/LandingPage?handle=hein.journals/pknlolw3&div=45&id=&page=>.

²⁷ "Censorship vs. Freedom of Speech: Analyzing the Role of PEMRA in Regulating Pakistani Media | International Research Journal of Management and Social Sciences," accessed July 21, 2025, <http://irjmss.com/index.php/irjmss/article/view/389>.

²⁸ "Recommendation CM/Rec(2018)1[1] of the Committee of Ministers to Member States on Media Pluralism and Transparency of Media Ownership - Freedom of Expression - Www.Coe.Int," Freedom of Expression, accessed July 21, 2025, https://www.coe.int/en/web/freedom-expression/committee-of-ministers-adopted-texts/-/asset_publisher/aDXmrol0vvsU/content/recommendation-cm-rec-2018-1-1-of-the-committee-of-ministers-to-member-states-on-media-pluralism-and-transparency-of-media-ownership.

Institutional Autonomy of Regulatory Bodies

PEMRA and PTA have to be reconstituted as truly independent regulating bodies. In these respects, they should provide that their governing boards are immune to political outfitting, and that their judgments are open to proceedings and court auditing.²⁹ Examples of model regulators are the Ofcom in the UK or the Independent Communications Authority of South Africa that present best practices in terms of establishing independent entities with clear mandate, accountability, and community trust.

Protection of Journalists and Media Workers

The law should also be reformed to ensure the establishment of a favorable and secure environment of journalists. This involves the implementation of journalist protection law with effective implementation strategies, formation of independent commissions to probe media workers attacks and the establishment of whistleblower protection.³⁰ International principles, including the ones created by UNESCO and the UN Plan of Action on the Safety of Journalists, should be considered the minimum basis of national solutions.

Engagement with International Human Rights Mechanisms

Pakistan is urged to conduct a proactive work with the UN treaty bodies, such as the Human rights Committee, to provide timely reports, consideration of comments in the national parliaments, and use Universal Periodic Review (UPR) methods. This will do not only prove independence of international norms but will also help to raise the global reputation and bargaining position of Pakistan in the diplomacy of human rights.

Promoting Public Discourse and Legal Literacy

The strengthening of the media laws should be conducted along the principle of civic education to create awareness among people about the freedoms on free speech. Media freedom can be cross-fertilized by the legal literacy programs, discussing effects of media freedom on the street, and making university curricula on media freedom. Moreover, instead of discouraging the opposition the state should stimulate open communication since it is unattainable to induce long-term reform without the support of the society.

Conclusion

This comparative analysis shows that the system of media regulation in Pakistan has a lot of flaws when compared with the international standards of freedom of expression as practiced by the United Nations, the European Union, and the United States. Although the Constitution of Pakistan on paper provides a right to free speech, the reality on the ground is characterized by excessively wide statutory exceptions, status quo-oriented administrative agencies, and penal measures that chill unfavorable journalism and publicly unfriendly opinions. Such shortcomings are not simply technical, as they indicate a wider constitutional and political outlook alleging more of concern with state control rather than democratic liberty.

²⁹ "The Precarious Path of Pakistan's Media Landscape: Navigating Freedom, Regulation, and Sustainability," <https://pide.org.pk/>, n.d., accessed July 21, 2025, <https://pide.org.pk/research/the-precious-path-of-pakistans-media-landscape-navigating-freedom-regulation-and-sustainability/>.

³⁰ "Knowing the Truth Is Protecting the Truth | 2022 Report on the Safety of Journalists and the Danger of Impunity," accessed July 21, 2025, <https://www.unesco.org/reports/safety-journalists/2022/en>.

Instead, international regimes of free speech are characterized by legal precision, autonomy, and proportionality (which many Pakistanis do not include in the management of media). This appears in the UN system established under ICCPR, the jurisprudential attitudes to media pluralism in the EU, and the doctrine of free speech that is a near-sacred in the United States exercising the rule of the law and adhering to principles of human rights. Such systems do not only provide a normative advice but also provide institutional models that can be applied by Pakistan to meet its own socio-political environment.

The change obstacles in Pakistan are quite large. Skewed security perceptions, the issue of religious sentiments, bureaucratic laxity and the perception that domestic law is out of its harmonization with international practices have continued to abate efforts to make the domestic laws to be in tandem with the international practices. Nevertheless, the challenges are not desperate. Transparency in parliament, institutionalization of regulatory institutions, improved journalists security, and effective advocacy with the international human rights frameworks are some of the few measures that could develop into a more transparent and accountable media space.

The change challenges in Pakistan are quite huge. Distorted security, the problem with religious feelings, bureaucratic weakness and the misperception that that domestic law has fallen out of sync with its harmonization with the practices of the international community has only excited such efforts to put the domestic laws in line with that of the international practices. The prospects are however not hopeless. Some of the just a few measures that can work out to become more transparent and accountable media space include transparency in parliament, institutionalization of regulatory institutions, better security of journalists and good advocacy to international human rights mechanisms.

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