

## Pakistan

In 2007–2008, political turmoil and campaigns to curb media coverage in Pakistan took place against a relatively stable backdrop of Internet filtering directed at content determined to be blasphemous, secessionist, anti-state, or anti-military. One of the most widely reported instances of filtering occurred in February 2008, when a government order to prevent access to a YouTube video mocking the Prophet Muhammad resulted in a near-global block of the entire YouTube Web site for around two hours.



### Background

During General Pervez Musharraf’s first term as president, military control was applied over the judiciary and the ruling party in Parliament, and print and electronic media were censored where the content was deemed to be anti-government or anti-Islam. Government repression of media has been particularly acute with regard to Balochi and Sindhi political autonomy, content considered blasphemous, and other anti-state or anti-religious content.

#### RESULTS AT A GLANCE

Filtering	No Evidence of Filtering	Suspected Filtering	Selective Filtering	Substantial Filtering	Pervasive Filtering
Political		•			
Social				•	
Conflict and security				•	
Internet tools			•		

Other Factors	Low	Medium	High	Not Applicable
Transparency		•		
Consistency	•			

KEY INDICATORS	
GDP per capita, PPP (constant 2005 international dollars)	2,357
Life expectancy at birth (years)	65
Literacy rate (percent of people age 15+)	54
Human development index (out of 179)	139
Rule of law (out of 211)	169
Voice and accountability (out of 209)	169
Democracy index (out of 167)	108 (Hybrid regime)
Digital opportunity index (out of 181)	127
Internet users (percent of population)	10

Source by indicator: World Bank 2009a, World Bank 2009a, World Bank 2009a, UNDP 2008, World Bank 2009b, World Bank 2009b, Economist Intelligence Unit 2008, ITU 2007, ITU 2008.

In October 2007, Musharraf won an indirect, widely boycotted presidential election held while his two major political opponents were in exile. Leading the court challenge over Musharraf's eligibility to run while still serving as army chief was Chief Justice Iftikhar Muhammad Chaudhry, who had himself been suspended by Musharraf in March 2007 and reinstated in July 2007, after a "Lawyer's Movement" instigated court boycotts and massive rallies around the country.<sup>1</sup> Musharraf responded by suspending the constitution and placing the country under a state of emergency on November 3, the second since his bloodless coup in 1999.<sup>2</sup> While waiting for the court's decision, Musharraf's government shut down all privately owned television stations and other independent media outlets, arrested lawyers and about 60 senior judges, and jammed cell phone and Internet connections.<sup>3</sup>

Under growing international pressure, Musharraf resigned from his army position in late November and was sworn in for his second term as president, finally lifting the emergency on December 15. However, in August 2008 the two main governing parties agreed to launch impeachment proceedings, and Musharraf resigned under pressure.<sup>4</sup> In September 2008, Asif Ali Zardari, the husband of assassinated Pakistan Peoples Party (PPP) leader Benazir Bhutto, was elected Pakistan's new president by legislators.<sup>5</sup>

A vibrant civil society movement working against Internet censorship continues to operate in Pakistan and monitors developments in filtering.<sup>6</sup> International human rights groups have reported on the persecution of journalists at the hands of the Pakistani military intelligence agency and extremist groups, while advocacy groups such as the Pakistan Federal Union of Journalists continue to call for investigations into attacks against journalists, which are often unresolved.<sup>7</sup> According to the Committee to Protect Journalists, at least five journalists were killed in connection with their work in 2008, several of them in the conflict-torn regions of Northwest Frontier Province and Swat.<sup>8</sup> Six journalists and media workers were killed in 2007.<sup>9</sup>

## Internet in Pakistan

With 3.7 million Internet subscribers, an estimated 22 million Pakistanis were online in 2008, constituting a penetration rate of around 10 percent.<sup>10</sup> Pakistan has experienced considerable growth in its information and communication technology (ICT) sector; in 2003, the government deregulated its telecom market, opening itself up to corporate competition in telephone, cellular, and Internet services.<sup>11</sup> Internet access is widely available at Internet cafés, which accommodate many lower-income and casual users. Rates for usage range between PKR 15 and PKR 40 per hour (USD 0.25–0.60 per hour), depending on location and amenities. Internet café managers are expected to monitor the activities in their establishments, but based on user experience these cafés appear to be mostly unregulated by the regular police.

Since deregulation, the market has become highly competitive, and there are currently approximately 50 ISPs in Pakistan of varying size and quality of service.<sup>12</sup> The largest ISPs in the country include Cybernet, Comsats, Brainnet, Gonet, and Paknet (a subsidiary of the Pakistan Telecommunications Company Limited, or PTCL). Although the estimated penetration rate for broadband Internet is just over 1 percent and demand has historically been low, Pakistan is ranked fourth globally in broadband Internet growth, with a growth rate of over 180 percent in metropolitan areas.<sup>13</sup>

All Internet traffic in and out of Pakistan is routed by the PTCL, which controls the IT infrastructure of the country through its subsidiary, the Pakistan Internet Exchange (PIE), with three international gateways at Islamabad/Rawalpindi, Lahore, and Karachi, and small/medium points of presence (POPs) in six other cities.<sup>14</sup> Domestic Internet traffic is peered at the PIE gateways within the country. In 2007, the PTCL's Karachi exchange reportedly processed at least 95 percent of Pakistan's Internet traffic.<sup>15</sup> In February 2008, the construction of a fifth undersea cable system that would link India and France (I-ME-WE) was announced, to be available for service by the end of 2009 and serving nine telecoms, including the PTCL.<sup>16</sup> The company invested USD 50 million into I-ME-WE, expected to have a capacity of 3.84 terabits per second.<sup>17</sup>

The Internet, as a tool for dissemination of information and mobilization of civil society, has been increasingly integrated into the political life of Pakistan. Bloggers across Pakistan objected to the intermittent block on the Blogspot platform and the temporary blocking of Wikipedia in 2006, and initiated a virtual civil society movement to repeal the orders.<sup>18</sup> In the movement against Musharraf's declaration of emergency in November 2007, with lawyers leading mass protests and acts of civil disobedience against the suspension of judges and the constitution,<sup>19</sup> a convergence between new and old media became evident.<sup>20</sup> According to one contributor to the Emergency Times blog ([pakistanmartiallaw.blogspot.com](http://pakistanmartiallaw.blogspot.com)), created to keep people informed about news and protests, "the real resistance to the emergency was built on the Internet."<sup>21</sup>

In the face of stringent media regulation, individual journalists, lawyers, and viewers uploaded news broadcasts from banned television stations to YouTube, while stations offered free streaming on their own Web sites.<sup>22</sup> Millions signed online petitions, while students, youth, and others created blogs (such as the Emergency Times) and dynamically utilized an array of tools, including SMS2Blog, Facebook, and video and photos uploaded to social media sites such as Flickr, to plan flash protests and document their resistance in the face of a media blackout.<sup>23</sup>

### Legal and Regulatory Frameworks

Internet filtering in Pakistan is regulated by the Pakistan Telecommunication Authority (PTA),<sup>24</sup> under the directive of the government, the Supreme Court of Pakistan, and the Ministry of Information Technology (MoIT), formerly the Ministry of Information Technology and Telecommunications (MITT). The PTA implements its censorship regulations through directives handed down to the PTCL,<sup>25</sup> of which the Emirates Telecommunications Corporation (Etisalat) took majority control in 2006.<sup>26</sup>

In December 2007, the government passed a cyber crimes ordinance, followed by the Prevention of Electronic Crimes Ordinance (PECO) enacted less than a year later and taking effect on September 29, 2008.<sup>27</sup> Cyber crimes are investigated under the jurisdiction of the Federal Investigation Agency (FIA),<sup>28</sup> with the support of the National Response Centre for Cyber Crime (NRCCC), which provides technical assistance and a reporting center, and leads awareness campaigns.<sup>29</sup> In addition to laying out offenses for electronic forgery, fraud, criminal data access, and the use of malicious code, the ordinance made “cyber stalking”—which requires “intent to coerce, intimidate, or harass any person” using computers or networks—a crime punishable by up to seven years’ imprisonment.<sup>30</sup> Media rights advocates expressed concern that the prohibition against taking or distributing photographs of a person without consent made one of the major components of citizen journalism illegal.<sup>31</sup> The ordinance also makes “cyberterrorism,” defined as the access or utilization of a computer network or electronic system or device by a person or group with “terroristic intent,” an offense punishable by life imprisonment or death.<sup>32</sup>

In the absence of a specific legal framework, Pakistan’s filtering practices have evolved largely out of executive action taken by various government organs. Blocking orders have been issued through an opaque process that invites speculation as to the political motivations behind them, with authorizing agencies alternating between the MoIT, the PTA, the courts, and law enforcement. For example, in August 2008 the civil society organization Pakistan ICT Policy Monitors Network announced that six URLs were blocked upon the request of retired Admiral Afzal Tahir, accused in a number of YouTube videos of abusing his office in a personal land dispute.<sup>33</sup> In October 2008, the

government announced that the terrorism wing of the country's FIA would be tasked with hunting down the "antidemocratic" forces that were circulating YouTube videos and text messages aimed at discrediting the ruling party's politicians.<sup>34</sup>

On September 2, 2006, the MoIT announced the creation of a committee to monitor the content of offensive Web sites. Composed of representatives from the MoIT, the PTA, the Ministry of the Interior, and the cabinet, as well as members of security agencies, and presided over by the Secretary of the MoIT, the Inter-Ministerial Committee for the Evaluation of Websites (IMC) was tasked with examining and blocking Web sites containing blasphemous, pornographic, or anti-state material.<sup>35</sup> To address the grievances of Internet users with this censorship body, the government set up the Deregulation Facilitation Unit to deal with users' complaints.<sup>36</sup>

Much of the episodic filtering in Pakistan has been ordered in reaction to "blasphemous" content. On February 28, 2006, the PTCL issued a blocking directive banning a dozen URLs posting controversial Danish cartoons depicting images of the Prophet Muhammad.<sup>37</sup> Within two weeks in March, in a series of escalating instructions, the Supreme Court directed the government to block all Web sites displaying the cartoons, to explain why they had not been blocked earlier, to block all blasphemous content, and to determine how access to such content could be denied on the Internet worldwide.<sup>38</sup> The Supreme Court also ordered police to register cases of publishing or posting the blasphemous images under Article 295-C of the Pakistan Penal Code, where blasphemy or defamation of the Prophet Muhammad is punishable by death.<sup>39</sup>

President Musharraf's crackdowns on the media included content prohibitions and enhanced government discretion as to licensing requirements in order to cultivate self-censorship. The Pakistan Electronic Media Regulatory Authority (PEMRA) was established when Musharraf allowed for the creation of privately owned, independent broadcast media in 2002. One of its first acts was to lay out the regulatory framework that would ultimately support Musharraf's drive to control and restrict independent journalism. This framework instructed that in order to obtain a broadcast license, media outlets were required to preserve the sovereignty, security, integrity, values, and constitutional principles of public policy of Pakistan.<sup>40</sup> Article 27 of the 2002 ordinance also directly prohibited the broadcast or distribution of any content "against the ideology of Pakistan," as well as programming that "is likely to create hatred among the people, is prejudicial to the maintenance of law and order, is likely to disturb public peace and tranquility, endangers national security or is pornographic, obscene or vulgar or is offensive to the commonly accepted standards of decency."<sup>41</sup>

Upon declaring a state of emergency in 2007, Musharraf further amended PEMRA's charter to prohibit programming that "defames or brings into ridicule the head of state, or members of the armed forces, or executive, legislative or judicial organ of the state,"<sup>42</sup> as well as content "against the ideology, sovereignty, integrity or security of

Pakistan.”<sup>43</sup> Video footage of suicide bombers, terrorists, and their victims was banned.<sup>44</sup> PEMRA was now empowered to close any broadcast service in a “situation of emergency” and to seize equipment or seal the premises of licensees “in the public interest,”<sup>45</sup> with penalties expanded to include three years’ imprisonment and the maximum fine increased from PKR 1 million to PKR 10 million.<sup>46</sup> For print media, the Press, Newspapers, News Agencies and Books Registration Ordinance, 2002 (XCIII of 2002) was amended to reflect the same content prohibitions and grant the government the same emergency authority to shutter any publication for up to 30 days.<sup>47</sup> In April 2008, the MoIT introduced a bill to repeal these amended provisions, reduce the maximum fine to PKR 1 million, and abolish the provision banning broadcasts “against the ideology of Pakistan.”<sup>48</sup>

Musharraf did not take such an assiduous approach toward restricting online content during the emergency, although telephone and Internet access were intermittently cut. However, all privately owned radio and television stations were shut down, some by force,<sup>49</sup> and cable operators were banned from broadcasting any national or international news channels.<sup>50</sup> The Code of Conduct created after the emergency was characterized as voluntary,<sup>51</sup> but most of these stations were allowed to resume broadcasting in December only after agreeing to abide by the Code of Conduct.<sup>52</sup> In December 2008, the Pakistan Broadcasters Association (PBA) announced that it would formulate its code of conduct and self-regulate among its members.<sup>53</sup>

### Internet Surveillance

The Prevention of Electronic Crimes Ordinance requires ISPs to retain all traffic data for at least 90 days and to provide it to the government upon request, or face fines and up to six months’ imprisonment.<sup>54</sup> Providers may also be required to cooperate in the collection of real-time data (including traffic data) and to keep their involvement confidential.<sup>55</sup> The bill ostensibly focuses on the use of the Internet to commit acts of terrorism, but its scope is broad enough that Pakistani bloggers and Reporters Without Borders expressed concern over the impact on Internet freedom.<sup>56</sup>

Pakistani media have reported that the PIE, which controls the international gateways, monitors all incoming and outgoing Internet traffic in Pakistan. This capability, in addition to filtering, allows it to monitor and store all e-mails for a certain period of time.<sup>57</sup> There are no reported cases of people imprisoned for their online activities, and most Pakistani bloggers view government surveillance as more clumsy than frightening. At the same time, political events that generate unusual amounts of online chatter and debate, including the suspension of Chief Justice Chaudry in March 2007, cause bloggers and other users to worry about being censored or targeted.<sup>58</sup> After the imposition of de facto martial law in November 2007, several bloggers made arrangements to have their blogs published outside of Pakistan.<sup>59</sup>

## ONI Testing Results

Episodic filtering, in addition to routine blocking of Web sites considered blasphemous or threatening Pakistan's internal security, continued through the end of Musharraf's term as president and into the tenure of the new civilian government. In December 2007, the enactment of the cyber crimes ordinance was followed shortly by the reported blocking of several hundred anti-government blogs.<sup>60</sup> In late December 2008, upon the recommendation of the IMC, the PTA issued an order to block six URLs: three from dictatorshipwatch.com, a Web site created after Musharraf declared a state of emergency; one from makepakistanbetter.com, a social and political discussion forum; one from friendskorner.com, another discussion forum; and one from buzzvines.com.<sup>61</sup> The common thread among the Web pages appeared to be information about Punjab Governor Salman Taseer,<sup>62</sup> rather than any type of content under the authorized purview of the IMC.

OpenNet Initiative testing was conducted on Cybernet, LINKdotNET, the PTCL, and Micronet in May through July 2008. There is no uniform method of blocking among the four ISPs tested. Cybernet blocks by setting a DNS lookup failure; both LINKdotNET and Micronet employ block pages—LINKdotNET by means of Squid Proxy and Micronet using both proxy server and Squid Proxy. The PTCL had appeared to rely on DNS poisoning by redirecting to an IP address they own containing no content, but during later rounds of testing switched to a block page using a proxy server.

A comparison of ONI testing results from 2006–2007 and 2008 indicates that despite high-profile filtering incidents, ISPs may actually be blocking less content. For example, in contrast to testing results from 2006 to 2007, where the PTCL implemented a limited block on pornography and religious conversion sites, 2008 testing found no evidence of filtering in these categories.

A form of collateral filtering, the blocking of additional content that is unintended and caused by imprecise filtering methods,<sup>63</sup> has long been a feature of Internet censorship in Pakistan. For example, in March 2007, in an attempt to comply with a Supreme Court order to filter blasphemous content “at all costs,” the PTCL implemented a blanket IP address block at their Karachi PIE exchange that lasted for four days and impacted the Akamai servers, leading to disruptions in accessing Google, Yahoo, BBC, CNN, ESPN, and several other major Web sites.<sup>64</sup> In January 2008, several bloggers reported the blocking of the Blogspot.com and Wordpress.com domains.<sup>65</sup>

One of the most severe examples of collateral filtering took place in February 2008, when a government attempt to block YouTube in Pakistan made the entire Web site inaccessible to most Internet users around the world for up to two hours.<sup>66</sup> On February 22, the PTA issued an order to block access to a single video, while listing three IP addresses.<sup>67</sup> The film *Fitna* by the Dutch parliamentarian Geert Wilders, which

contained “blasphemous” content considered offensive to Islam, was the official cause of the block, but others claim that the government could have been trying to suppress a video depicting a woman engaging in election fraud in Karachi.<sup>68</sup> In response, the PTCL redirected requests for YouTube videos to its own network. This rerouting was advertised to the Internet at large and was picked up by the Hong Kong-based ISP PCCW, which then broadcast the redirect to ISPs around the world.<sup>69</sup> YouTube staff worked with PCCW to restore access within two hours.<sup>70</sup> Access to YouTube was restored in Pakistan after the video listed in the PTA blocking order was removed.

The Web sites blocked by all four ISPs provide a representative snapshot of 2008 filtering practices, consisting entirely of Balochi news, independence, and culture Web sites, with the exception of two: the anti-Islamist [jihadwatch.org](http://jihadwatch.org) and [themoviefitna.com](http://themoviefitna.com), a Web site dedicated to coverage of Geert Wilders and his film *Fitna*.

The filtering of material considered blasphemous or anti-Islamic has long been a purported objective in Pakistan. In 2006–2007, most material relating to the Danish cartoon incident that led to a block on the entire [blogspot.com](http://blogspot.com) domain was blocked by ISPs; 2008 testing showed that many of these have since been hacked or unblocked. Cybernet, LINKdotNET, and the PTCL blocked a right-wing American Web site containing the cartoons ([zombietime.com](http://zombietime.com)), while leaving only Cybernet to block one other relevant Web site, [mohammeddrawings.com](http://mohammeddrawings.com).

By April 2006, the PTA extended their blocking to anti-state Web sites as well as those promoting Balochi human rights and political autonomy.<sup>71</sup> Testing done by the ONI in 2006–2007 confirmed that internal security conflicts had become a strong focus for filtering, including Web sites relating to Balochi independence movements, Sindhi human rights, and political autonomy movements. Among these categories, Web sites addressing Balochi political independence were the most comprehensively blocked.

Filtering of content in 2008 continued to target these categories of Web sites, albeit a smaller number and with even greater inconsistency. All four ISPs blocked Web sites tested relating to human rights, news, and justice (e.g., [www.balochistaninfo.com](http://www.balochistaninfo.com)) in the province of Balochistan. However, a number of Balochistan-related Web sites blocked by all four ISPs have been closed, including [www.balochfront.com](http://www.balochfront.com) and [baloch2000.org](http://baloch2000.org). Other Web sites were blocked by a combination, but not all, of the ISPs, including the Balochistan Legal Fund ([www.bso-na.org](http://www.bso-na.org)) by Cybernet, LINKdotNET, and the PTCL; the Balochi independence Web site [balochestan.com](http://balochestan.com) by Cybernet and LINKdotNET; and [www.balochtawar.net](http://www.balochtawar.net) by Cybernet and Micronet. A limited selection of Balochi-related blogs were also blocked, with all four ISPs filtering [www.rahimjaandehvari.blogfa.com](http://www.rahimjaandehvari.blogfa.com).

A selected number of the Sindhi sites tested continued to be blocked in 2008, such as [www.worldsindhi.org](http://www.worldsindhi.org), which was blocked by the PTCL, Micronet, and LINKdotNET. Unlike in 2006–2007, none were blocked by all four ISPs. However, in contrast to



2006–2007, when the few existing Web sites pertaining to Pashtun secessionism were fully accessible, Micronet blocked the Pashtun discussion board [www.kitabtoon.com](http://www.kitabtoon.com).

The blocking of a selective number of blogs and Web sites containing purported anti-Islamic and anti-Pakistani content was one continuity between 2006–2007 and 2008 testing, such as the Indian militant extremist sites [www.hinduunity.com](http://www.hinduunity.com) that was blocked by Cybernet and LINKdotNET and anti-Islamic Web sites ([www.plusultrablog.com](http://www.plusultrablog.com) by Cybernet; [www.nordish.net](http://www.nordish.net) blocked by Cybernet, LINKdotNET, and the PTCL). However, there was also less filtering of blogs in 2008. A limited number of Web sites not directed at Pakistani issues were filtered by some, but not all, ISPs. For example, the blog of Michelle Malkin, a popular conservative American blogger, was inaccessible on all ISPs in 2006–2007; in 2008, only Cybernet filtered [michellemalkin.com](http://michellemalkin.com). A free online radio site, [Live365.com](http://Live365.com), was filtered by Cybernet, LINKdotNET, and the PTCL.

Since the last round of testing, it appears that more responsibility for implementing filtering is being shifted down to the ISP level. The most recent round of testing also showed that filtering across ISPs is less consistent than in 2006–2007, when all but a handful of filtered Web sites were blocked by all the ISPs. In 2008, Cybernet blocked the greatest number of Web sites tested, filtering twice as much as the nearest ISP; Cybernet was followed by LINKdotNET, PakNet, and Micronet (in descending order). Between ISPs, the greatest overlap in filtering occurred between Cybernet and LINKdotNET.

The ONI testing in 2008 showed that in continuity with 2006–2007 results, the vast majority of newspapers and independent media, social media such as YouTube and Blogspot.com, circumvention tools, international human rights groups, VoIP services, civil society groups, minority religious Web sites, Indian and Hindu human rights groups, Pakistani political parties, and sexual content (including pornography and gay and lesbian content) were accessible on all four ISPs.

## Conclusion

Pakistanis currently have unimpeded access to most sexual, political, social, and religious content on the Internet. Although the Pakistani government does not currently employ a sophisticated blocking system, a limitation which has led to collateral blocks on entire domains such as Blogspot.com and YouTube.com, it continues to block Web sites containing content it considers to be blasphemous, anti-Islamic, or threatening to internal security.

Online civil society activism that began in order to protect free expression and blogging rights has expanded as citizens utilize new media to disseminate information and organize in the face of media blackouts and other political crises.

## Notes

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# **Access Controlled**

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