

① The Prevention of Electronic Crimes Act (PECA) 2016 has been a subject of intense debate regarding freedom of expression versus national security. Critically examine the act's provisions, its impact on journalism in Pakistan, and suggest reforms to balance freedom with responsibility.

• Introduction:

The PECA 2016, which was originally promulgated in 2016, it was done, and the aim was to tackle the disinformation to preserve public peace and true information. However, because of recent 2025 PECA amendment which curtail the freedom of speech to certain level. Moreover, there is a fight between freedom of speech and national security. However, the right to information and freedom of speech is granted by the constitution of Pakistan with certain limits.

• PECA 2016:

The basic purpose of the PECA is to control

and governing the cybercrime and digital activities. The Act covers many offences like, hate speech (section 22), cyber stalking (section 24), identity theft (section 16), Unauthorized Access to the Sensitive Information. Thus, this act mainly governs the electronic crime also with digital platforms.

• Freedom of Speech and National Security:

The freedom of speech which is granted by the Supreme law of Pakistan, that is article 19-19-A. The freedom of speech granted with certain limitations. Moreover, if the national security comes first then it comes under reasonable restriction and court will not uphold the Article 19 or 19-A.

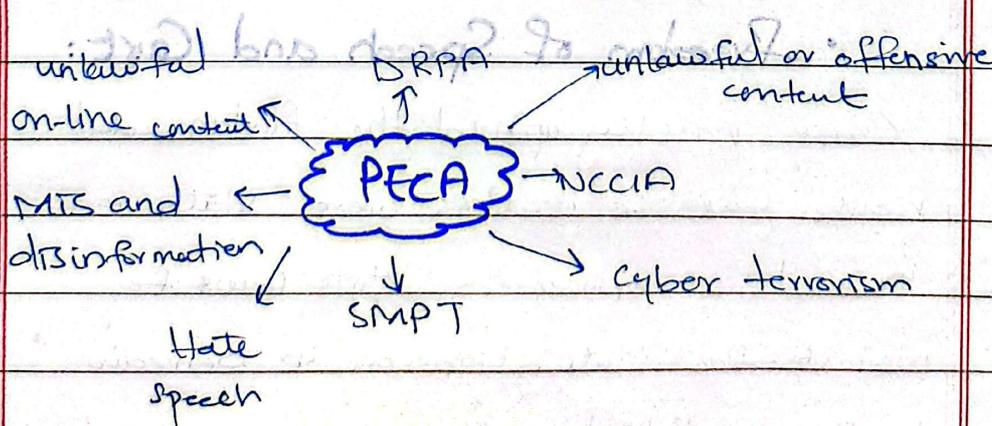
• Article 19 and protest and peaceful Rally:

Article 19 the freedom of speech and expression grants the public to organized a peaceful protest and to deliver their opinion subject to reasonable restriction.

means any immorality, hate literature, speeches, placards or act against nationality, ethnicity or religion will not be tolerated.

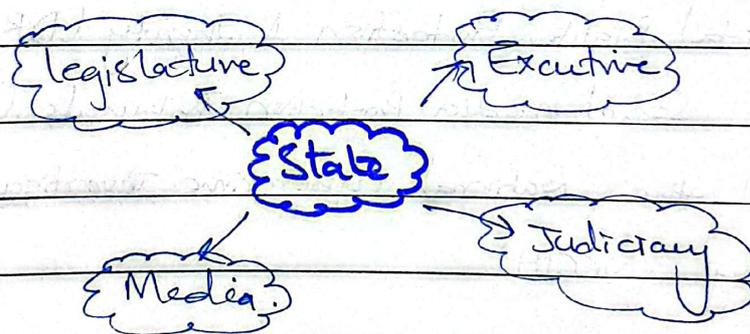
• PECA 2025 Amendment:

The PECA 2016, was amended in 2025, and was made the freedom of speech more restrictable. The PECA amendment which also attack the fair trial enshrined in article 10-A of the constitution. With the creation of new three bodies, such as Digital Right Protection Authority (DRPA) the Social media Protection Tribunals (SMPT) and the national cybercrime investigation Agency. (NCCIA).



• Problems of Journalists:

The journalists facing many problems while they broadcast the news and TV shows. They get threats of life and family. As media being a fair pillar of a state & a watch dog while the constitution are not liked being watched. In this 21st century, the freedom of speech and expression & good in theories not for practice.



• Freedom of Speech and Court:

Court mostly uphold the fundamental rights but in matters where state is involved it uphold the state cases to protect the state. However, in Benazir Bhutto v Pakistan, the apex court under-scored that any limitation on any democratic right must not be used as a

tool of oppression.

• No free criticism is allowed:

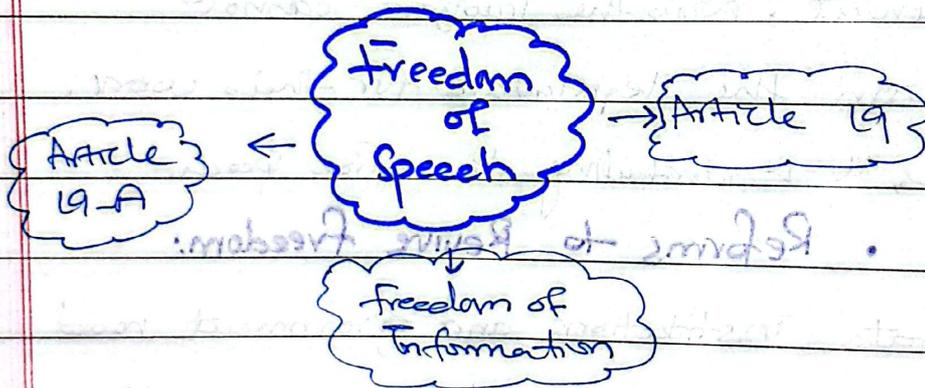
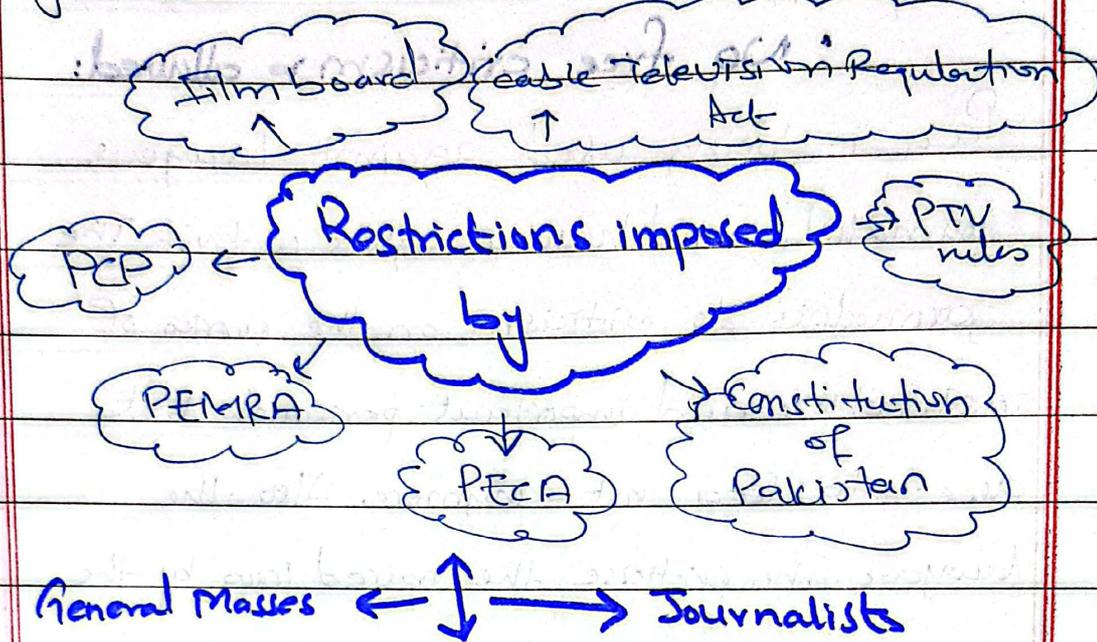
Pecra is being used against lawyers, journalists and human rights activist. The journalists do criticism on the works of institutions and important persons but due to Pecra not anymore. Also the lawyers who criticise the passed law by the parliament, now the lawyers cannot criticism the legislature for their work.

Thus, it is curtailing the free speech.

• Reforms to Revive Freedom:

State institutions and government need to take consult the lawyers as well as the senior journalist and media persons along with the relevant authority in term of making a new law or amending a existing law, which are regarding freedom of speech. Moreover, the constitution of Pakistan 1973 and many other laws, already imposed reasonable restriction in the freedom of speech. Thus, more restrictions mean censorship on to the

Journalists.



• **Conclusion:**

The Peca 2016, is a good law to curb mis-dis information along with online or digital crimes. However, this law also curtailng the freedom of speech from journalists. Moreover, the balance is come from upholding the right of journalism and take journalist as bond when state making any laws. Moreover, the freedom of speech indeed is protected by the constitution of Pakistan.