

## Human Rights and Journalism in FATA

Areeja Syed

Research scholars, MSIR, COMSATS University, Islamabad, Pakistan.

Azka Gull

Research scholars, MSIR, COMSATS University, Islamabad, Pakistan.

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**Abstract:** *Journalism in Pakistan is a challenging profession for various reasons; however journalism in the tribal region is an entirely different story. Journalists of the erstwhile FATA endanger their lives every day to earn a minimal amount, some don't even get paid. The past years particularly in 2017 and 2018 saw a renewed wave of violence against the media personnel. The constitutional amendment has been passed and FATA reforms are in play, it is time for the policymakers to work along extending PEMRA laws to the tribal districts, Tribal journalists face intimidation, threats, and pressure from the military as well as the militants. Government and state institutions need to ensure their safety, end the violence against them, end financial exploitation, and work on rehabilitating the displaced journalists from the tribal belt.*

**Key Words:** Journalism, FATA, Reforms, Human Rights, Tribal Belt

### Introduction

The rights that a human gets inheritably and naturally and are extended to all human beings regardless of gender, ethnicity, religious beliefs, and any type of other differences are human rights. Human rights include all types of freedom, liberty, freedom of expression, freedom from fear, and every right which includes the right to get an education, the right to work, the right to live freely, and many more. There should be an environment in every society in which every individual can enjoy equal rights without any discrimination (Nations, n.d). Human rights include respect for an individual; it is the fundamental right of every individual to live with dignity and integrity (United for Human Rights, 2018). At the same time, journalism is a phenomenon in which the public and individuals are informed about the current situation. Individuals who perform this job are called journalists. They might work in print media, electronic media, and now on new media i.e. social media. Creating difficulties for journalists, causing hurdles in their line of duty is also a violation of basic human rights (Niles, n.d).

The tribal districts which were until recently also known as Federally Administered Tribal Areas (FATA) consist of a strategic location on the Pakistan and Afghanistan border, and are situated at the western border of Khyber Pakhtunkhwa province. Starting from the past, the erstwhile FATA has a long complicated history and a separate traditional identity. It acquired a very unique political status during the British rule in 1849. In 1893, a separation line had been drawn with the border of Afghanistan known as the Durand line. The tribal region was a constant challenge for the British Raj, hence the draconian law of Frontier Regulation Control was introduced. Under this law, the tribesmen didn't even have basic human rights. The bitter legacy of the colonial rule continued even after the independence of Pakistan. Almost seventy years after the independence the tribal region was still regulated by the FCR. The people of this area do not enjoy the same rights which the constitution of Pakistan grants to every citizen. The tribal region is the least developed area of the country and due to this state of lawlessness, this region has harbored insurgents after 9/11 ([Fata Disaster Management Authority, 2017](#)).

If we talk about journalism in the border region, unfortunately, it is a dire situation for the journalists as well as the human rights activists. Not only journalists face threats for reporting the truth but their families and friends as well. Journalism is probably one of the most dangerous professions for a tribesman. Muhammad Anwar, who is a representative of the FATA-based Tribal Union of Journalists (TUJ), said that threats of death, violation, and intimidation have become a fact for the journalists in FATA. A tribal journalist further could either save his life by compromising on a story or face death by reporting about an incident independently (Yusufzai). Hayatullah Khan, who was the first journalist, was first kidnapped in Waziristan in 2005 and was later found dead. Later on, there were more than two journalists who had been killed in the different agencies of FATA evidently by Taliban militants who were not pleased by their coverage. There was news in which the militants set fire to the stall of a newspaper that was responsible for highlighting and covering all their activities. Taliban also warned the journalists

to refrain from covering their illegal activities (Yusufzai) RSF (reporters without Borders) has also reported journalists being targeted by the militants and extremist groups as well as by the state organizations. Harassment, killing, and threats are at the top of the list in Pakistan thus making it the second most dangerous place for all journalists, according to RSF, more than 100 journalists have died in Pakistan and 98 percent of journalists belonged to Baluchistan, FATA and the Khyber Pakhtunkhwa province.

According to the Pakistan Federal Union of Journalists, there has been no proper investigation for the majority of the journalists killed. Union demanded that the government conduct a proper investigation and put the culprits behind bars. The government needs to take measures to safeguard journalists, especially in the KPK province and the tribal areas. According to the International Federation of Journalists, Pakistan is considered one of the most dangerous countries for journalists with a hundred and two media workers killed since the year 2005. An international index for press freedom placed Pakistan among the most dangerous countries for journalists in the year 2017. Pakistan ranked 139<sup>th</sup> out of 180 countries ([Newspaper Correspondent, 2017](#)).

## **Current Situation of Journalists in KPK and FATA**

The present situation of media personnel in Pakistan is bleak, the provinces which are more developed in comparison to KPK and tribal districts also failed to ensure the safety of their journalists. As far as Punjab is concerned, recently a journalist in the Vehari district was murdered for reporting about the drug industry and drug trafficking. It has been confirmed by the police that this murder is just because of his reporting. (Reporters without borders, 2018). In Sindh Conditions are worse as well, Naeem Qamar, a senior journalist from Karachi was also been shot dead in his apartment, and an initial investigation, showed that it was not a case of robbery, but it was because of his controversial statement. So everywhere in Pakistan, journalists are not safe ([DAWN, 2017](#)).

If we talk about journalism in FATA AND KPK, the condition is even worse. Sohail Khan was killed in Haripur, KPK. According to senior journalist Hamid Mir, Sohail Khan was the third journalist killed in KPK this year. Sohail Khan was killed right after informing the DPO office regarding threats to his life. According to Freedom Network, he published a report on drug trafficking (Journalist shot dead by armed assailants in Haripur, 2018). Another journalist Haroon Khan was killed outside his residence in Swabi. Peshawar-based journalist Shahnawaz Tarkzai was kidnapped when he was on a visit media centre in Shabqadar. Islam Gul Afridi who worked for Radio Pakistan went missing while in Islamabad. The whereabouts of Junaid Khan a Swat-based journalist is also unknown. According to PPC President Alamgir Khan, no group has claimed responsibility for the missing journalists ([Akbar, 2017](#)). According to the Committee to Protect Journalists the violence against journalists has lessened but at the same time overall situation of media freedom in Pakistan has been on a decline. CPJ believes that journalists have imposed self-censorship due to a widespread sense of fear (Freedom of press on the decline in Pakistan: Committee to Protect Journalists, 2018) Latest among the target killings of journalists includes the murder of Nowshehra based Noorul Hasan, his cameraman-was-injured. Journalists protested his killing and expressed disappointment over the government's inaction (Journalists stage sit-in in Nowshera after Noorul Hassan's funeral, 2018).

Muhammad Ghaffa representing FATA FATA-based Tribal Union of Journalists says that FATA has been used as a base by the militants, they targeted any reporter who disagreed with them. According to journalist Muhammad Anwar FATA, journalists can either stay silent on the situation or face death. Around 200 reporters from FATA have migrated to safer places. Muhammad Ghaffar says it's only the insurgents but local political administration stops them from reporting independently as well. During the last 10 years, more than 100 journalists have been killed in Pakistan, with almost 98 percent belonging to FATA, Khyber Pakhtunkhwa, and Baluchistan province ([Pakistani Reporters in the Crosshairs, 2017](#)).

Tribal journalists not only faced pressure and threats from the insurgents but from the security forces as well. A tug-of-war is going on between the Taliban and the military. Tribal journalists can never report a situation independently; both stakeholders want the journalists to take up their desired agenda. Amnesty International has been raising its voice against the threats posed to the media personnel in the tribal belt. According to a tribal journalist, a factual account can never be reported in the context of a tribal region. Either way one of the stakeholders is always cross with factual reporting. In order to save their lives majority of the journalists write their stories in a vague manner. Many of the tribal journalists are not even paid by the media outlets for their extremely dangerous job. While those working for the

international media receive minimal amount, their bosses sitting in Islamabad take most as their own share ([Shahzaib, 2016](#))

### **FATA Merger**

In the month of May this year, the National Assembly of Pakistan passed the landmark constitutional amendment, which sought the merger of FATA with the province of KPK. FATA consists of seven passes: Bajaur, Dir, Khyber, Mohmand, Peirwar Kotal in Kurram Agency, The Bolan Pass, and Gomal in South Waziristan. Passing of this amendment came after four years of work to mainstream the tribal areas ([Wasim, 2018](#)). Currently, the former FATA is regulated under the Interim Governance Regulation. According to Waziristan Youth Organization chairman Adil Dawar, Frontier Crime Regulation is abolished and reforms haven't been implemented yet, hence no laws currently exist in the merged districts. Delays in the FATA reforms would encourage the fractions that stood against the mainstreaming of FATA (Tribesmen seeks end to FATA interim regulation, 2018).

Pakistan's constitution did not apply to the tribal areas; they were regulated under the Frontier Crime Regulation since the colonial era. However desire to merge FATA with KPK had always existed, and efforts had always been made but it all came down to political conflicts and the unwillingness of Pakistan's military. The current success is due to institutional and political interests aligning with each other. Pakistan military and politicians realize that without mainstreaming FATA terrorism and insurgency cannot be eradicated. Another reason is the rise of the Pashtun Tahafuz Movement, which has gathered international and national support. It may not be the main reason behind the regulation of FATA but it definitely accelerated the process ([Jamal, 2018](#))

### **Journalism and the FCR**

According to journalist Ibrahim Shinwari, a member of the Tribal Union of Journalists, FCR is the main reason no newspaper or publication ever came out of the tribal belt. This black law does not grant the right to freedom of expression along with many other basic human rights covered under the constitution of Pakistan. The political administration subdues the voices of truth. Even the newspapers don't pay the tribal journalists for not only working hard but risking their lives in the line of duty. Family and friends of journalists face intimidation and threats in the name of "collective responsibility" (FCR; a law nobody can defend, 2005)

Mr. Safdar Dawar a member of the Tribal Union of Journalists from North Waziristan and the recipient of the International Human Rights Award 2012 that the FCR bans freedom of the press. The Tribal Union of Journalists serves as a journalists' union as well as a platform for discussing human rights. TUI is the only platform available in the tribal belt for human rights activists and the media (Dawar).

### **FATA Merger and the Tribal Journalists**

In light of the FATA merger with KPK, the journalists in the Khyber tribal district decided to rename and rebuild the dysfunctional Tribal Union of Journalists. The union was dysfunctional for a couple of years with no offices. Reviving the TUI is important to solve the problem of the journalists. Changing the name of the Union was also under discussion in a meeting at the Jamrud Press Club (Journalists in Khyber decide to reform the Tribal Union of Journalists, 2018). With the purpose of training and skill development of FATA and KPK journalists JWSDF (Journalists Welfare, Safety, and Development Foundation) launched a program (Capacity building plan for journalists of KP, Fata launched, 2017)

### **Current publications from tribal districts**

Currently, the only medium available to the public in erstwhile FATA is the radio. Due to the low illiteracy rate the circulation of mainstream news publications is nonexistent. According to a survey conducted in 2009 around eighty percent of adult males and seventy percent of adult females listen to radio regularly in FATA. TV is considered a luxury among the residents ([Bureau Report, 2015](#)).

FATA secretariat had set up four state owned radio stations during the last fifteen years. However, one of them in South Waziristan was blown up by the Taliban in 2006 while the other three were closed down due to lack of funding. In the absence of local radio stations, the gap is filled by international radio stations such as the BBC, Mashaal Radio, and the Voice of America ([Riaz, 2015](#)). Shamaal Radio a private radio station was allowed to broadcast in the tribal region in 2016. One website Tribal News Network is the only website dedicated to publishing all the news specifically related to tribal areas and KPK. Besides this website, no other media platform covers the region regularly ([Akhter, 2017](#)).

There is a need to extend the laws of PEMRA (Pakistan Electronic Media Regulatory Authority) to be extended to the tribal districts. As a result of these laws, locals would be able to publish their own newspapers in the tribal region. Tribal journalist would have better opportunities and the public would have awareness regarding issues and their own rights. Journalists would get access to the information they are usually denied. An information office should be established in each tribal district, and weekly and monthly briefings about the developmental works should be given to the press ([Shinwari, 2015](#)).

### **Recommendations**

Freedom of speech and freedom of expression is one of the basic principles of democratic societies. A journalist does the same by doing critical analysis and by becoming the watchdogs of government and different organizations yet they face major challenges and threats in the path of their journalism, and their freedom of expression is in danger. Especially journalism in Fata is at high risk and there is a need to counter that threat.

### **Role of Stakeholder to Secure the Journalism**

The role of stakeholders which include all the parliamentarians, international and national media, their groups, national and local government, and all the civil society needs to play an active role in the safety of journalism. There were different seminars held in Peshawar to bring some stakeholders together to discuss the dangers faced by journalists. There was also a seminar conducted by Pakistani media development organization Freedom Network in partnership with the United Nations Educational, Scientific and Cultural Organization (UNESCO), Islamabad Office. The report of that seminar stated that the purpose of UNESCO is to train all the journalists so that they could understand all the risks which are involved all the pave of their journalism, and how could they adopt the finest protection methods in all situations. All stakeholders need to work together in order to minimize the threats to journalism.

### **Need to Improve Economic Security of Journalists**

Economic conditions of journalists in grave conditions. Most of the journalists do not pay for their reporting which is one of the major concerns journalism is facing today. There was also a meeting on the economic security that journalists face these days held by the CRS which is communications research strategies in collaboration with [journalismpakistan.com](#), to discuss the economic threats faced by watchdogs.

There is no proper mechanism to arrest the culprits who kill the journalists just because of their freedom of expression, and there are weak FIRs, In Pakistan, there a pathetic conditions at police stations, the lower staff do not pay attention to those cases in which they do not receive bribery, and the families of the victim do not have enough economic resources to pave the way for investigation in this cruel bribery system. The CRS chief executive AniqZafar also expressed his thoughts and expressed that the physical security of journalism somehow now got the attention of all the stakeholders but the economic security did not get much limelight and attention. There should be some sort of mechanism to distribute certain funds to journalists with different unions.

### **Need Access to the Latest Media Technologies**

There is a need to facilitate journalism in Fata with the latest media technologies and the fast internet because if they are stuck in any problem or threatened by any nonstate or state actor, they can immediately contact the rest of the world and ask for help. In this regard, journalists who do report in Fata or any other rural area need to have proper social media accounts, because it is the time of new media, and diplomacy (use of Twitter) and it is a very powerful tool to contact the public in just a few minutes.

### **Need for Professional Training**

There is also a lack of professional training as far as the journalists of tribal areas are concerned, they need to get training on how should they do reporting while in specific circumstances, and if they get professional training the media technologies, it can help in the improvement in their journalism as well as it will securitize them as well.

### **Conclusion**

Journalists all over the world face grave threats, even in the superpower USA journalists are not safe and face

threats like kidnapping, intimidation, threats, and killings. Journalists in Pakistan particularly have so security whether physical or financial. Reporting events from the tribal districts is equivalent to putting one's life on the line. On one side insurgents create hurdles for the reporters, on the other hand, state institutions only want their narrative to make it into the headlines. If we talk about FATA reforms it presents an excellent opportunity to give media and journalists a chance to thrive in the tribal region. PEMRA laws need to extend to the tribal districts. As a result, local tribesmen can publish former FATA's very own newspaper and eventually a news channel. It would provide financial and economic aid to not only the journalists but also provide opportunities for the youth. Government journalist unions need to provide tribal journalists with the latest media techniques and technology so that they can access the general public easily. Violence against journalists has increased in the past two years. Unfortunately the culprits roam free. Authorities need to put serious work into bringing the culprits behind the bar to set a precedent. All the state actors need to let the media report factual accounts of events in the tribal region. They must not impose their narrative. The war on terror has already passed through its most intense phase. With FATA reforms into work, it's important to rehabilitate the displaced journalists of the tribal belt. Government and media houses need to provide financial aid to the families of slain tribal journalists. Media houses in particular need to fulfill their responsibilities as well and end the financial exploitation of tribal journalists. There should be some mechanism to provide aid to the families of those journalists who had been killed or murdered. The government must take some steps in this regard and it is also significant to give professional pieces of training to the journalists in the tribal areas. Human rights are the fundamental right of any individual, whether they live in any superpower state or in any rural or tribal area, he is an individual and it is the right of every human to get security. It is the duty of the state to provide security to its individuals. The violation of journalists is also a form of human rights violation and it is now the need of the hour to resolve this concern.

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