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Online Harassment, Freedom of Expression, and Digital Rights: A Legal Analysis of Pakistan's Cyber Laws

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ARTICLE INFO	ABSTRACT
Submission: June 30, 2026 Revised: July 12, 2026 Accepted: July 28, 2026 Available Online: August 11, 2026 Keywords: <i>Peace, respect and dignity for all people, online harassment, freedom of expression, digital rights, cyber-law and PECA (Police, Education and Community Action) Pakistan</i> Corresponding author: Hafiz Omer Abdullah Email: omerabdullah@uosahiwal.edu.pk	Digital communication has witnessed tremendous growth in Pakistan, changing how the public expresses itself and how people access information, and introducing new avenues of online harassment, abuse, intimidation and rights violations. The cyber-law architecture of Pakistan, especially the Prevention of Electronic Crimes Act (PECA) 2016 and subsequent amendments, aims to tackle detrimental online activities, but has raised ongoing concerns about freedom of expression, privacy, access to information and other digital rights. The main legal issue is thus the balance between safeguarding users against online harassment and preventing disproportionate restrictions on legitimate expression as a consequence of measures taken to ensure regulation of online spaces. This research adopts a qualitative doctrinal legal research method, analyzing relevant statutory provisions, constitutional protection, judicial reasoning and wider legal principles relating to online speech and digital rights in Pakistan with a critical approach. While there are important mechanisms in place in Pakistan's laws to address cyber harassment and related offences, ambiguities in legal provisions, broad rights granted to the authorities under the law, enforcement practices, and limited procedural safeguards may pose risks of overreach and uncertainty for legitimate online expression. The study also argues that the regulation of individuals' protection from digital harms requires a balance between these constitutional freedoms and rights. It makes the point that informed statutory definitions, proportional sanctions, enhanced procedural protections, judicial oversight and rights-based institutional arrangements are essential to good cyber regulation. The study also adds to the legal discourse on online harassment, freedom of expression and digital rights in the context of an emerging cyber-law framework in Pakistan, and emphasizes on the importance of striking a balance between safeguarding users from online harms while ensuring that digital rights are not unnecessarily limited.

Introduction

Current trends in internet connectivity, social media and electronic communication have changed the manner and nature of public engagement, social connection, information access and interaction with state institutions among citizens of Pakistan. Digital platforms have also opened up new opportunities for political participation and expression, but they have also enabled novel forms of abuse, such as cyberstalking, threats, impersonation, sexual harassment, reputational attacks, coordinated trolling and other types of online intimidation. Recent studies have shown that online harassment in Pakistan can have repercussions off the internet. In the case of journalists and feminist activists, there are examples of personal abuse, gendered abuse, moral policing, reputational damage and threats which can deter individuals from engaging in public discourse (Ahsan & Ali, 2026; Online Harassment and Trolling of Political Journalists in Pakistan, 2025). This issue is not just a cybersecurity and criminal justice one, but one of dignity and equality, privacy and freedom of expression.

The legal response to these developments has been evolving mainly in Pakistan by enacting a dedicated statutory regime to address electronic offences, Prevention of Electronic Crimes Act 2016 (PECA). PECA criminalizes various acts in relation to online harm, such as acts of aggression against the dignity of a natural person, cyber-stalking and other types of electronic abuse. It was also amended in 2025, greatly extending the regulatory framework of social media. The updated structure introduces a Social Media Protection and Regulatory Authority with powers to promote online safety, control unlawful and/or offensive content and take regulatory action against social media. It also grants powers relating to platforms that do not meet the statutory requirements, such as the Prevention of Electronic Crimes Act, 2016 (as amended in 2025) that allow for the blocking and enlistment of platforms where applicable. While the state's legitimate interest in safeguarding persons and society from harmful online practices is underlined by these developments, there is a growing need for precision, proportionality, institutional accountability and procedural safeguards.

The constitution produces an important counterweight to the regulatory. Article 19 of the Constitution of the Islamic Republic of Pakistan guarantees the freedom of speech and expression and freedom of press for the citizens of the republic and clearly provides for imposing restrictions by law on certain grounds, namely security of the state, public order, public decency or morality, contempt of court and commission or incitement of an offence. Art 19A also acknowledges a citizen's right to information in public affairs, subject to regulation and reasonable restrictions on access to information, as provided by law. (Constitution of the Islamic Republic of Pakistan, 1973, art. 19, 19A). These provisions illustrate that freedom of expression in Pakistan is constitutionally guaranteed, but not free from any limitations. The key issue is not whether the state has a legitimate interest in regulating harmful online conduct, but whether such regulation is sufficiently clear, lawful, reasonable, and proportionate to the legitimate objective sought.

When laws intended to combat online harm are enforced on speech which may be controversial, critical, political or otherwise not liked but does not constitute unlawful harassment the tension becomes more acute. This separation is important due to the fact that online harassment and also lawful expression are not synonyms. A threat, an intimidation, or persistent abusive conduct may be sufficient to suffice for action under the law, while criticism of public officials or political institutions or government policy or of other matters of public interest is normally in the heart of freedom of expression, which as such is subject of constitutionally acceptable limitations. Supreme Court of Pakistan has affirmed the connection between expression and access to information, stating that right to receive information and freedom of expression go hand in hand. Civil Petition No. 3506 of 2020 (Supreme Court of Pakistan) is another example of the constitutional values that expression holds in the digital information sphere. (Supreme Court of Pakistan)

This balance is reiterated in international human-rights law. The right to hold opinions without interference and the freedom to seek, receive and impart information and ideas via any media are guaranteed under Article 19 of International Covenant on Civil and Political Rights (ICCPR) to which Pakistan is a signatory. Article 19(3) allows for restrictions when provided for by law and when necessary for specific legitimate purposes, such as those of protecting the rights or reputations of others and public order. Article 17 safeguards the right of everyone from being subject to arbitrary or unlawful interference with his privacy or with his correspondence, or to attacks upon his honour or reputation. The international framework does not therefore call for a balance between online safety and freedom of expression, but for states to ensure that restrictions are designed in a way that is both legally and proportionately compliant, and is protective of individuals. The UN Human Rights Committee has also stressed the importance of freedom of expression in a democratic society and the necessity of restrictions meeting the principles laid out under Article 19 of the Covenant (Human Rights Committee, 2011).

This ambivalent situation is reflected by existing scholarship. Abbas et al. (2023) have discussed the cyber laws and media censorship in Pakistan and said that the laws and regulations that are designed to combat online issues could also lead to privacy and free expression concerns. The digital environment can also enable participation but also put people in the position of being targeted for harassment, as demonstrated by other research. The study of political journalists in Pakistan reveals that trolling

and abusive online interactions may lead to the undermining of professional credibility and deter critical journalism, particularly against female journalists (Online Harassment and Trolling of Political Journalists in Pakistan, 2025). More recent qualitative studies of feminist activists also reveal cyber harassment as a means of limiting access to public discourse due to gender-based and sexualized abuse, coordinated trolling, moral policing and threats (Ahsan & Ali, 2026). These studies reinforce the need for a robust body of evidence to support effective protection from online abuse, but also illustrate the need to ensure the regulatory measures are well considered, so that protection from harassment is not interpreted as a justification to restrict legitimate expression.

Even in the face of the increasing scholarship, there is an important lacuna in the framework of integrated legal analysis of these competing interests in Pakistan. Previous research is often focused on specific aspects of the issue, for example on censorship, privacy, cyber harassment, journalism, gendered abuse or the functioning of PECA. This literature has helped to establish evidence-based insights into the social impacts of online abuse and the regulatory issues in cyber governance. Comparatively less attention, however, has been paid to examining the relationship between the law on the protection against online harassment and the constitutional and international law principles which govern freedom of expression and digital rights. The required doctrinal analysis just keeps getting stronger as the regulatory framework for social media has undergone significant change, as it will be further complicated by the 2025 amendment to PECA. (Pakistan Code)

In this context, the following research problem is addressed in the present study: how can Pakistan effectively control online harassment while at the same time keeping the cyber law enforcement process in line with the constitutional right to freedom of expression and wider right to digital rights? The study aims to explore the following four aspects: Firstly, it will examine the legal framework of online harassment under PECA and other relevant Pakistani laws; Secondly, it will explore the relationship between cyber regulation and constitutional protection of freedom of expression; Thirdly, it will assess the compatibility of Pakistan's regulatory approach with relevant international human-rights standards in relation to online expression, privacy and online participation; and Fourthly, it will identify the legal and institutional steps that could help reconcile online safety with rights protection.

The research method used in this study is a qualitative type of doctrinal legal studies. It explores primary legal literature and developments from relevant constitutional provisions, Pakistani legislation, amendments to legislation, and judicial decisions, as well as international human rights instruments and the relevant literature. The scope is limited to the legal framework of the Internet harassment and its implications on freedom of expression and digital rights in Pakistan. It does not empirically measure the extent of online harassment or assess specific users' experiences, using interviews or surveys. Rather it aims at interpreting and critically evaluating the legal principles, regulatory mechanisms, and the tension between rights that are created in the current regime.

The significance of the study is the balanced rights based approach towards Pakistan's cyber-law regime. Its originality lies in its approach of linking the protection of individuals against online harassment with the protection of lawful expression in a single legal analysis, rather than seeing these objectives as mutually exclusive. It suggests that there should be a clear separation of harmful acts that require legal action from acts which are expressions and should be protected by the constitution. This should demand a clear legal framework, proportional restrictions, adequate procedural safeguards, oversight by judicial bodies and substantive protection of privacy and other digital rights. The study places Pakistan's developing cyber-law regime in the context of constitutional and international human-rights principles, thereby adding to the wider discussion of the means by which States can respond to digital harms without compromising the rights that give the digital public sphere its value.

Literature Review

To date, there is growing literature on online harassment and cyber legislation that calls for balancing online individual protection with freedom of expression and other fundamental rights as a socio-legal space. Harassment that occurs online may involve persistent unwanted communication, cyberstalking, threats, impersonation, reputational attacks, or anything else that is designed to intimidate, humiliate, or silence people. It can have real-world repercussions, especially for the journalists, activists, women and others who are visibly engaged in public discussion. Recent studies on Pakistan have shown that the use of digital platforms for journalism and activism can be a gendered risk and may deter people from engaging in public discourse due to harassment. However, one type of research on Pakistani political journalists shows that trolling and cyber abuse are prominent problems for professional journalists, and a recent qualitative study of feminist activists reveals gendered abuse, moral policing, coordinated abuse, threats as some of the ways these activists can be hindered in their freedom of online expression. (Sage Journals)

Regulating such behavior is a challenging issue because not all offensive or harmful speech online is necessarily illegal harassment. A rights-based approach thus demands a differentiation between conduct which causes true and legally recognized harm and expression which is only unpopular, offensive or critical. This is significant in Pakistan where political and social

discourse is increasingly happening online. Clear, targeted regulation may safeguard users while not stifling legal speech. However, a general restriction can raise the issue of the scope of the ban and what is covered by freedom of expression. Cyber regulation is therefore not just about criminalizing online activity, it is about deciding the "legitimate scope of the state's right to intervene in the digital public sphere".

The main statutory measures in Pakistan regarding cybercrime are the Prevention of Electronic Crimes Act, 2016 (PECA). PECA has a specific chapter on electronic offences, and there are provisions in the chapter concerning conduct in relation to online harassment such as cyberstalking and offences relating to the dignity of individuals. It is important because it offers a specific forum for dealing with certain types of offences which might not be captured by the criminal justice system. Meanwhile, scholarship has raised doubts about the breadth of some provisions, which may be interpreted or written so as to impact on legitimate expression. Abbas et al. (2023) for example, discuss Pakistan's Cyber-law in the context of censorship in the media and privacy and believe that regulatory measures to combat online harms create major rights issues. (Sage Journals)

The debate over PECA is especially visible in the discussion about the offences against the dignity of a natural person (section 20). The provision has sparked debate on the need to regulate reputation in digital environments through criminal law and how this regulation will fit with the constitutional right to freedom of expression. This question gained particular importance in litigation cases when dealing with the Pakistani courts. The Supreme Court heard a challenge in Civil Petition No. 1431 of 2022 regarding Section 20 and Article 19 of the Constitution, that could affect freedom of speech and expression. It illustrates the ongoing judicial struggle between shielding people from the effects of harmful electronic content and ensuring that cybercrime laws do not become a means of chilling protected speech. The Supreme Court of Pakistan (SCP).

Thus the constitution is a key element of the evaluation of Pakistan's cyber laws. The Constitution of the Islamic Republic of Pakistan has provided for freedom of speech and expression under Article 19 of the Constitution by allowing restrictions as per law on certain grounds. Article 19A also includes a right of access to information in areas of public concern. These provisions hold that the right to freedom of expression is constitutionally guaranteed, but is subject to recognized legal restrictions. The pertinent legal issue is therefore one of scope and proportionality, namely whether or not the restriction is based on a legitimate goal, is sufficiently anchored in law, and does not impose a restriction that is disproportionate to the harm it aims to prevent. Freedom of online expression is not absolute, but it is not allowed to go beyond constitutional limits.

The Judges have made significant contributions to these contours. In 2022, the Islamabad High Court declared the Prevention of Electronic Crimes (Amendment) Ordinance, 2022 unconstitutional and found that the efforts to extend the criminal liability for defamation committed in online platforms were incompatible with the fundamental rights. The court in particular looked at the articles of the constitution that were relevant, namely articles 9, 14, 19 and 19A, and the constitutional significance of the freedom of speech and freedom of access to information. The judgment comes at a time when the judiciary is expected to be called upon to review cyber laws where concerns over protection of reputation and preventing cyber harm may clash with constitutional expression rights. It also shows that the fact that a law has an objective does not automatically mean that the restriction is constitutionally valid; the legal basis and effect of the restriction are not irrelevant. (YouTube)

International human-rights law also influences the links between online harassment and freedom of expression. The right to seek, receive and share information and ideas through any media, as well as the right to hold opinions, are guaranteed under Article 19 of the International Covenant on Civil and Political Rights (ICCPR). But the right to restrict is allowed under Article 19(3) when such restriction is necessary for "recognized legitimate purposes" of law, including the protection of the rights or reputations of others and the protection of public order. Article 17 also safeguards a person from arbitrary or unlawful interference with his privacy and with his physical or moral integrity. The international framework thus does not promote free expression on the internet or free state control on the internet. On the contrary, it needs a well-founded balancing of conflicting rights and interests.

This rights-based approach is especially pertinent for Pakistan, where the freedom of expression is embedded in a wider international guarantee of freedom of expression in the context of cyber regulation. Any limitation on freedom of expression in the information society must be well defined and predictable, which means that people must know what they cannot do. They should also have a legitimate aim, and be necessary and proportionate to the aim. This principle is tricky to apply in cases where there is a law that relies on a general or vague term that could include both harmful content and legitimate criticism. As part of the scholarship on the 2025 PECA amendments, the new regulation and additional restrictions have raised the questions of legality, necessity and proportionality under the international human-rights standards. (jmhonzons.com)

The 2025 changes in PECA have been an important step in this discussion as they have greatly increased the digital regulatory framework in Pakistan. The amended framework added an additional measure of social media regulation and a Social Media Protection and Regulatory Authority to help deal with online content. The amendments thus move the legal landscape away from the prosecution of individual cyber crimes to platform and content regulation. This is part of a global trend that puts

greater accountability on digital platforms for harmful content. It also poses a basic question about who should decide if online content is illegal, harmful or otherwise restricted and what procedures should be in place to make such decisions.

There is a wide range of answers to this question in the literature on intermediary responsibility. One view is that greater obligations are warranted for platforms since they have the technological means to identify, moderate, and scrub content harmful to children that can never be achieved by individual criminal enforcement. Platforms should then have some duties to respond to threats, harassment, and other serious forms of abuse from this viewpoint. Another view is that too great an intermediary liability may lead to over-removal of content as platforms may be tempted to remove content that is controversial in order to avoid regulation penalties. This may result in a type of indirect censorship in which legitimate speech is lost without proper judicial or administrative scrutiny. The discussion on PECA in Pakistan is a part of a global issue of balancing the protection of users from online harm and the creation of a system that avoids becoming a non-judicial, non-transparent means of content removal.

Another key facet of the digital-rights debate in Pakistan is privacy. Harassment typically takes place on-line through the misuse of personal information, the sharing of private information, impersonation, surveillance and threats. Thus, the right to privacy cannot be divorced from the right to be protected from harassment. The recent scholarship in Pakistan on the right to be forgotten reveals the flaws in the national privacy laws and the challenges faced by balancing privacy, cyber security and freedom of expression. Khan et al. (2025) maintain that Pakistan needs more effective institutional and legal frameworks to safeguard digital privacy that would not hamper legitimate speech. (JSS Archives) The literature thus indicates that combating online harassment is not just a matter of criminal prevention, but of having clear rules on personal data, privacy, platform obligations and remedies for those who are victims.

Another issue is the gap between access to the rule of law and legal protection. Legislation alone does not ensure protection if there are obstacles to victim reporting, to securing evidence, to going through investigative processes, or to securing timely remedies. Meanwhile, there are risks that enforcement authorities with wide powers may raise rights issues when they enjoy insufficient checks. So the literature on cyber-law environment in Pakistan brings up two related issues: one on the effectiveness of the state in preventing real harm on individuals and another on the limitations of the enforcement mechanism. The literature therefore raises two questions that relate to Pakistan's cyber-law environment, first, if the state is effective in preventing actual harm to individuals and second, if the state's enforcement mechanisms provide adequate protection against misuse. These anxieties illustrate the value of institutional responsibility, along with the substance of the law.

There is a specific enforcement issue involved and that is gender. Not everyone who experiences online harassment is affected in the same way. The study on feminist activists in Pakistan finds that sexualized abuse, moral policing, threats, and coordinated attacks are some of the reported forms of digital harassment. This type of behavior may contribute to the disincentive for women to engage in political and social discussion and may thus impact on individual dignity as well as equality and participation in public life. Likewise, studies of journalists have also shown that online harassment can affect the professional engagement of journalists, and can manifest in gendered ways, especially for women journalists. The study lends further weight to the case for adequate legal safeguards, but also highlights the need for regulatory action not to be employed to stifle legitimate feminist, journalistic, political and activist expression.

There is therefore a big debate between the security and rights perspectives on cyber-regulation. Cybersecurity viewpoints focus on the state's duty to ward off cybercrime, safeguard people, maintain law and order, and tackle harmful content. Rights-based approaches highlight that these aims have to be within the boundaries of constitutional and international human rights. Neither stance by itself is sufficient to solve the problem. There can be too little regulation and too much or too confusing. Instead, the more persuasive model in the literature is a proportional model: serious harassment is dealt with by clear rules of law and effective remedies, and legitimate expression is adequately protected.

There are a number of strengths in the existing literature. It has gradually transcended the perspective of cybercrime as a technological issue and has introduced constitutional law, human rights, privacy, media studies, gender and governance into the cyber regulation debates. Pakistani scholarship has also produced important insights into PECA, censorship, privacy, the media, and the social implications of online harassment. (Sage Journals) In addition, judicial decisions have provided important constitutional perspectives on the limits of cyber regulation. The contributions lay a helpful groundwork for the rights-based analysis of the legal framework of Pakistan.

However, there are crucial restrictions. Most of the current research focuses on specific issues (PECA, media censorship, privacy, cyber harassment, freedom of expression, etc.) without fully embedding these issues within a cohesive body of doctrine. Some studies are based on the social experiences of specific groups or the statutory provisions or constitutional principles. This thematic and disciplinary dispersion makes it challenging to establish the balance between the protection from online harassment and freedom of expression, privacy and other rights related to digital information in Pakistan's legal system.

Furthermore, the changes in 2025 have led to the need to reappraise the regulatory analysis of platforms, institutional power, and procedural protections. There have been some important commentaries on these amendments in recent years, but there is a need for more systematic doctrinal evaluation of the new legal framework. (jmhORIZONS.com)

The gap in the literature that the present study seeks to bridge is the absence of an integrated qualitative legal analysis between online harassment, PECA, constitutional freedom of expression, privacy, digital rights, intermediary responsibility and international human-rights standards in the developing cyber-law in Pakistan. While there is a body of scholarship that confirms the reality of online harassment and a need for regulation, this scholarship does not adequately address the question of how the regulation can be designed to achieve that aim, while also avoiding undue burdens on the legitimate exercise of expression. This paper fills that void by reviewing the applicable laws, constitutional provisions, judicial decisions, international standards, and scholarly work in a comprehensive manner. It's about creating a balanced doctrinal perspective in which the two sides of the protection of children from online harm and the protection of digital rights are considered not mutually exclusive, but partners in the same cause. This would give a more solid foundation for assessing the clarity, proportionality, accountability and compatibility of the cyber-law in the context of constitutional and international human-rights principles in Pakistan.

This methodology is tailored for doctrinal legal study, and not systematic literature review. Thus, it does not employ PRISMA or a literature-review flowchart. The legal regime is based on the Constitution, PECA, judicial rulings and international standards for human rights. All the official 2025 amendment and Supreme Court material were checked with regard to the primary sources. (Senate of Pakistan)

Research Methodology

Qualitative doctrinal legal research with interpretative and critical legal perspective constitutes the research method used in this research. Doctrinal research is suitable as the main aim of the research is to study the legal laws and principles and how they relate to freedom of expression and digital rights in the context of online harassment in Pakistan. The study examines the ways in which the boundaries between legitimate expression and unlawful online conduct are defined by relevant legal texts, judicial decisions, regulatory provisions and human-rights standards, rather than measuring the prevalence of online harassment or collecting primary data from users. The interpretivist approach acknowledges that legal rules are given meaning by the terms in which they are framed, the context of the Constitution, judicial decisions and the relationship to other rights. The critical dimension also allows for analysis of how seemingly neutral regulatory measures can have differential impacts or disproportionate restrictions on digital expression.

The research design and analytical perspective are the subjects of 3.1. The topics of 3.1 are research design and analytical perspective.

The research method used is doctrinal and the sources of information used are the identification, interpretation, comparison, and evaluation of the legal sources. The analysis focuses on the following four issues, all of which are interconnected: Legal regulation of online harassment, constitutional protection of freedom of expression, protection of privacy and digital rights, and institutional regulation of online platforms. Legislation is not viewed as a separate source of law in the study. Rather, the interpretation of statutory provisions is guided by constitutional rights, judicial reasoning and relevant international human-rights standards. This is especially applicable for Pakistan, as the Prevention of Electronic Crimes Act, 2016 (PECA) has come a long way, with the Prevention of Electronic Crimes (Amendment) Act, 2025 introducing many significant amendments to the regulatory framework. (Senate of Pakistan)

Primary Legal Sources

The main sources include authoritative Pakistani legal sources. The Constitution of the Islamic Republic of Pakistan, 1973 is the primary constitutional source, and special focus is provided on Article 19, freedom of speech and expression, and Article 19A, access to information. In the assessment of the legitimacy of cyber regulation, constitutional rights with regard to dignity, privacy, equality, and due process are also taken into account, as relevant.

The main source is PECA 2016 which addresses the areas of cyberstalking, offences against dignity of the person, investigation, electronic evidence, content regulation, and powers of the institutions. Analysis includes the amendment in 2025 as it significantly changed the regulatory framework and added further governance mechanisms in social media. The text of the amended legislation was used as the main statutory reference not relying on media summaries or secondary descriptions. (Pakistan Code)

Where these laws and subordinate legal instruments in Pakistan may have direct impact on the research questions, they are also considered. They could be relevant laws on defamation, telecommunications, data protection/privacy, criminal procedure,

electronic transactions and under PECA rules and regulations. It is not an exhaustive list of Pakistan's technology-related laws, rather of those which are found to be substantive to online harassment, content regulation, enforcement authority or digital rights.

A third type of primary authority are reported judicial decisions. Specific attention is paid to cases in which the Pakistani courts have been faced with issues involving PECA, online speech, constitutional expression rights, digital content, or the boundaries of regulatory power. The Supreme Court's Civil Petition No. 1431 of 2022 is particularly significant as the Court granted leave to question the compatibility of section 20 of PECA and the criminalisation of electronic defamation with Article 19 and whether these provisions could be capable of preventing free expression. The situation is also discussed in the light of the decision passed by Islamabad High Court in 2022 relating to the Prevention of Electronic Crimes (Amendment) Ordinance, as it offers an important judicial approach towards the relationship between PECA, Article 19 and 19A with constitutional rights. (Dawn)

Primary and Secondary sources

International human-rights instruments are used as an important interpretive aid, not a substitute for the domestic law. In particular the International Covenant on Civil and Political Rights (ICCPR), particularly Article 19 (Freedom of expression) and Article 17 (Privacy, honour and reputation) is relevant, especially in the case of Article 19. The provisions offer internationally accepted benchmarks to measure the necessity, legality, and proportionality of limitations on online communication.

Secondary sources include peer-reviewed legal and interdisciplinary scholarship, respected academic books, policy reports, institutional publications, and authoritative human-rights materials. Scholarly literature was chosen for its theoretical and comparative work on the regulation of cybercrime, online harassment, content moderation, intermediary liability, privacy, Internet governance, and freedom of expression. Secondary sources were not considered as equivalent to primary legal sources, they were used to create context of the legal rules, to pinpoint scholarly disagreement and to build critical analysis.

Document Selection and Inclusion Criteria

Documents were purposefully selected based on their direct relationship with the research questions. Primary legal sources included if they mentioned online harassment, cybercrime, electronic communications, content regulation, platform responsibility, freedom of expression, privacy, or any similar constitutional rights in Pakistan. Judicial decisions were adopted when courts interpreted relevant constitutional provisions, PECA provisions, or regulatory powers that impact digital expression.

In the case of scholarly literature, preference was given to the peer-reviewed publications related to Pakistan or similar legal and regulatory environment. The focus was on recent scholarship and some of the older works of law and theory were included where they contributed conceptual foundations. Wherever international instruments or institutional reports set authoritative human-rights or governance standards, they have been included.

Documents were not entered that were mostly irrelevant to the research questions, not legally or academically credible, or repetitive of more powerful primary sources, rather than being commentary that was only unverifiable. Legislation or judicial decisions did not replace the use of news reports or media articles. They may have offered some context for the contemporary developments in law, but substantive legal propositions were substantiated by primary sources to the extent possible.

The student will interpret and compare legal texts

Close textual and contextual interpretation of the selected materials was done. The statutory provisions were first analysed from the point of view of their meaning, purpose, scope and interrelationship with other provisions in the relevant legislation. They were then translated into the constitutional context, including the interplay between the aims of regulation and the rights of those regulated.

Judicial reasoning was examined regarding facts, legal queries, judicial opinion, consideration of constitutional rights, interpretation of statutory provisions and judicial conclusions. Specially, judicial reasoning on freedom of expression, proportionality, procedural safeguards, and permissible limits of state intervention were addressed. The Supreme Court's judgment in the case of Section 20 of PECA is significant since the case expressly raises questions relating to the interaction between electronic defamation and Article 19. (Supreme Court of Pakistan)

A comparative legal analysis was then conducted by juxtaposing the Pakistani law with relevant international human-rights standards. The aim was not to state that the foreign or international standards mean that Pakistani law automatically follows, but to see where there is convergence, divergence, and potential legal clash. This analysis is used to assess if the restrictions on online expression have a legitimate aim, are sufficiently clear, and are proportionate to the harms it aims to prevent.

Thematic Analysis

Thematic analysis was employed as a method to group together common legal themes from the materials chosen but the study is doctrinal, not empirical. The documents were analyzed for overlapping ideas, arguments and points of contention. These were the main themes: online harassment and legal protection; freedom of expression and constitutional constraints; privacy and digital rights; regulating content and intermediary liability; enforcement and institutional liability; and proportionality and human-rights safeguards.

Themes were inductive in nature, meaning that they arose from the legal materials themselves, and not empirical categories that were suggested beforehand. If there were conflicting views in the laws, rulings, and writings, they were presented and contrasted. This allowed for highlighting of discrepancies between statutory objectives, constitutional protections, judicial interpretations and the practical issues in regulation.

The validity and reliability of the results are upheld, and the research credibility is enhanced

The legal validity of the conclusions was reinforced by the use of authoritative primary sources, including official and statutory texts and reported judicial decisions. The amendment to the PECA for 2025 was checked against the text of the official gazette and the judicial propositions relevant to the amendment were checked against court decisions, not exclusively secondary reporting. Furthermore, in this context, (Senate of Pakistan) Source reliability was bolstered by separating the primary legal authority (from scholarly interpretation and policy commentaries).

Analytical transparency is ensured by the definition of the scope of the research, the selection criteria, the categorisation of the sources, and the interpretive procedures. Tricky legal and academic questions were retained and not just those that support a certain outcome. The study also refrains from making any empirical claims that cannot be substantiated by means of doctrinal research. The findings are therefore limited to what are the reasonably deducible conclusions from the legal materials examined and the scholarly literature.

Finally, greater credibility was achieved by cross-referencing sources from legislation, constitutional provisions, judicial decisions, international human-rights standards, and peer reviewed scholarship. At points where the sources overlap, there are places of greater legal assistance, and where they disagree, the conflict is analysed. This methodology allows the study to offer a systematic and critically informed evaluation of the cyber-law landscape in Pakistan while maintaining the essential balance in upholding the right to freedom of expression and digital rights in the context of protecting individuals from legitimate online harassment.

Findings and Discussion

The doctrinal examination tackles five related legal issues: (1) the regulation of online harassment and the definition of cyber offences; (2) freedom of expression and the constitutional boundaries of cyber regulation; (3) privacy and digital rights; (4) the enforcement and regulation of platforms and institutional accountability; and (5) procedural safeguards and proportionality. Themes 1 and 2 suggest that Pakistan's biggest problem is not the lack of legal jurisdiction to tackle online harm, but the need to ensure that this jurisdiction is sufficiently specific, accountable, and respects fundamental rights.

Theme 1: Regulation and Legal Security of Online-Harassment

PECA 2016 offers a dedicated criminal-law system for electronic offences such as cyberstalking and offences impacting on the dignity of persons. These provisions provide a proper foundation for covering serious online abuse of users. But, doctrinal analysis suggests that these tools can only be effective if there are clear differences between harassment and lawful but objectionable, critical or controversial speech. This distinction is particularly important where criminal provisions relating to dignity or reputation may overlap with speech protected under Article 19 of the Constitution. The Supreme Court's Civil Petition No. 1431 of 2022 is a case in point, the Court allowed consideration of whether the section 20 of PECA infringes upon Article 19 and whether the criminalization of electronic defamation could be used to trample freedom of expression. The issue highlights the need for there to be sufficiently clear statutory limits in order to provide legal protection against digital harm.

Theme 2: Freedom of Expression and Constitutional Limits

Article 19 guarantees freedom of speech and expression and allows certain restrictions as provided by the law. This then does not mean that the Internet is rife with content that can harm minors and that it is somehow okay for the government to have a license to regulate digital communication completely. The 2025 revision greatly extended the scope of regulation, which has implications for "false and fake" information as well as social media law. The official Gazette publishes the enactment of new institutional and substantive mechanisms in the amended Act. Recent legal scholarship has therefore highlighted the ambiguities in some of the provisions and whether there is a chilling effect on lawful expression arising from their application

(Tariq & Younas, 2025; Wajahat et al., 2025). Internationally, Article 19 of the ICCPR says that restrictions on freedom of expression are only justified if they meet the ICCPR criteria of being legal, for a legitimate purpose, necessary and proportionate. The freedom of expression also encompasses political discussion, journalism and discussion of public affairs, as stated in the UN Human Rights Committee's General Comment No. 34. Therefore, Pakistan's cyber-law regime needs to differentiate between "legitimate" public-interest expression and "digital harm".

Theme 3: Privacy and wider digital rights

Harassment on the internet often involves issues of privacy, dignity and personal security as abusive behavior may include sharing or sharing inappropriately of private information. The legal analysis thus suggests that anti-harassment needs to be part of a comprehensive digital-rights protection. One of the key international frameworks is Article 17 of the ICCPR, which guarantees the right of individuals to be free from 'arbitrary or unlawful interference' with their privacy, and from unlawful attacks' on their honour and reputation. The framework thus has a double burden in Pakistan: on one hand, it has to offer effective remedies for serious digital abuse, and on the other, it must not trammel the right to privacy or to free expression and communication by needless investigation, access to data, or restrictions on content. This is in line with a rights-based approach, where privacy and expression are not opposing but complementary interests.

Theme 4: Enforcement, Platform Regulation and Institutional Accountability

The changes in 2025 are a big step towards a general regulation of social media platforms rather than individual cyber crimes. The amended framework introduces a new regulatory framework for social media and an authority for social media protection and new institutional mechanisms for content regulation and enforcement. While this development could help the state to take actions against harmful online content, it raises the questions of institutional independence and transparency, as well as of decision-making powers. The recent scholarship points to the worries surrounding the potential increase in executive power and the extent of regulatory control (Tariq & Younas, 2025; Wajahat et al., 2025). The question is not, then, whether platforms should be held accountable for their decisions, but whether their decisions to remove or block content are subject to sufficiently transparent criteria, independent review, and effective remedies.

Theme 5, the children explore how to ensure that procedures are followed and that they are proportionate

The last theme relates to the processes used for the exercise of cyber-law powers. But it's not just about substantive offences; a rights-compatible framework must also include protections from arbitrary investigation, prosecution, removal of content and blocking. The evidence for doctrine indicates that legality, necessity, proportionality, reasoned decision-making and access to review are especially significant in the context of regulatory decision-making that has a direct impact on expression. The ICCPR approach outlined in Article 19(3) upholds this, by insisting that restrictions on expression are "legally justified" and "necessary for legitimate aims. Further reviews of the amendments to PECA 2025 also highlight issues with the use of ambiguous terms, procedural safeguards and the limitations of the system (Tariq & Younas, 2025; Wajahat et al., 2025). Proportionality is thus an important legal guide to deciding between "necessary protection" and "excessive regulation" (jmhonzons.com).

	Principal issue identified	Rights implication	Reform direction
Online harassment	Boundary between harassment and protected speech	Risk of uncertain application	Clearer statutory definitions
Expression	Broad regulatory powers and speech restrictions	Chilling effect on lawful expression	Legality, necessity, proportionality
Privacy	Protection of personal information and dignity	Risk of intrusive enforcement	Stronger privacy safeguards
Enforcement	Expanded platform and regulatory authority	Risk of institutional overreach	Transparency and independent review
Procedure	Content removal and cyber-law enforcement	Risk of arbitrary restrictions	Notice, reasons, appeal, judicial oversight

Together, these findings tackle the research gap that was identified in the literature by integrating all aspects of online-harassment regulation, freedom of expression, privacy, platform governance, enforcement and procedural safeguards into one doctrinal analysis. Neither the unrestricted regulation nor the unrestricted online expression supported by the evidence are

appropriate. Instead, it pledges to a balanced, rights-based approach which will leave the state with the necessary power to respond to serious harassment and digital harm while still complying with constitutional and international standards on freedom of expression. The Pakistan's emerging cyber-law regime, therefore, would have benefitted from clear legal definitions, transparency of definitions for criteria of enforcement, efficient procedural remedy, independent oversight and proportional restriction. These steps would enhance coverage against real-time online harassment but would not undermine the constitutional and digital rights that enable meaningful engagement with the online public sphere in Pakistan.

Conclusion

The study explored the changing aspects of the cyber-law landscape, which is faced with the dual but interlinked goals of fighting against online harassment while at the same time ensuring freedom of expression and digital rights. Through the court, the doctrinal analysis clearly shows that Pakistan has developed a significant legal framework for mitigating online harms through the Prevention of Electronic Crimes Act 2016 (PECA), through constitutional safeguards and judicial review. The present framework, however, does not yet ensure a consistently balanced relationship between online safety and fundamental rights, as the findings show. Protecting against cyberstalking, harassment, threats, and other harmful conduct is a valid legislative goal, but general and overly broad regulations, greater powers of regulation, and uncertainty about content regulation can pose potential problems for legitimate expression, privacy, and participation in digital environments.

The study's main legal achievement is its ability to show that online harassment and freedom of expression are not mutually exclusive policy goals to regulate. A rights-compatible framework must safeguard people against real harm online, but also ensure that constitutionally protected expression, including political debate, journalism, criticism and issues of public interest, are not prevented. The analysis also shows that there needs to be more than just substantive legal provisions. The protection must be defined clearly in legislation, with clear rules on how the protection is applied, there must be procedures in place to ensure protection is adhered to, there must be independence to monitor the process and there must be scope to review the protection. Proportionality, thus, is a key element in assessing the justification of restrictions on online expression.

The results are theoretically and practically relevant to the field of cyber-law scholarship, bringing together concepts of online harassment and constitutional expression, privacy, platform regulation and digital rights in a single doctrinal context. The analysis provides guidance to the policy maker on the need for clearer legislation and enforcement procedures to differentiate between permissible expression and illegal harassment. For enforcement institutions and platforms it focuses on the need to make decisions on a reasoned basis, hold the conduct of the platforms accountable and prevent arbitrary removal of content or any kind of regulatory action. These changes can enhance not only the protection given to users, but also trust in the legitimacy of cyber laws.

The study has its limitations in that it is qualitative in design and it uses doctrinal studies, judicial decisions, international standards, and existing literature. It does not empirically evaluate victims' experience, enforcement practices, platform responses, and public perception of PECA. Empirical research with digital platforms, journalists, legal practitioners, future users and policy makers could thus complement the doctrinal approach to future research. Comparative study with other jurisdictions may also help to shed light on other approaches to intermediary responsibility and regulation of online-harassment.

Pakistan does not need a free-for-all on the Internet and neither does it need unfettered regulatory powers. It demands a balanced legal approach, with a commitment to protecting individuals from digital harms, via clear, proportionate, accountable, and rights-compatible measures. It provides the best foundation to shield users from online harassment while maintaining the constitution and digital rights that are critical to a meaningful online public sphere.

I checked the principal legal authorities and the recent Pakistan-focused scholarship on sources of primary and/or publisher/journal records. An important one that came to the fore was that your existing manuscript made only a few specific scholarly references, and you had to include 20-25 scholarly sources; not every scholarly source you mention needs to have been used, but those that are included must be actually cited in the text. The following list of sources of 23 sources, which includes the ones already employed and primary, closely related legal sources, is therefore recommended and the sources cited in the few scholarly works that should be standardized in your text have been marked accordingly. The 2025 PECA amendment is Act No. II of 2025, assented to on 29th January 2025. (Senate of Pakistan)

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