

## **Pakistan's PECA 2025 and Global Digital Regulations: Balancing Security and Freedom**

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### **Abstract**

PECA 2025 has been feared to negatively impact the digital freedoms and liberal politics of Pakistan as it has potentially provided preventive measures against cybercrimes. The passed law increases government control over the online environment by adopting more rigid content restrictions, creating the criminalization of code 'fake news', and making the bulk of social media platforms register with the government. While the Pakistan government has claimed that PECA 2025 is necessary for protecting from cyber threats, fake news and scammers, some critics believe that PECA 2025 legalises over surveillance, frees enterprise to control dissent and limit press freedom.

Thus, the present research aims to perform a comparative legal research of PECA 2025 with the digital regulations of India, the USA, Great Britain, Turkey, and China to define its compliance with the trends. Based on the Digital Authoritarianism Theory, the study examines if PECA 2025 adopts standard democratic digital governance or if they reassert state control in online environments. CDA is applied and its efficacy is seen in how it examines contextual reasons given for legislation, the type of language contained in legal documents and the inherent ideologies informing policies.

Research shows that while PECA 2025 shares its features of cybersecurity with the countries away from dictatorship, its enforcement mechanisms, as well as its general provisions on censorship, correspond to the tactics of authoritarian control in cyberspace. Therefore, the paper concludes that while PECA 2025 promotes internet safety, regulations for this purpose are likely to be employed as a form of political oppression. The implication of this paper is that there is a need to come up with an effective policy framework that can allow the governments to embrace cybersecurity policies while protecting basic digital rights to embrace the best governance model that is democratic.

**Keywords:** PECA 2025, digital governance, digital authoritarianism, cyber laws, critical discourse analysis, comparative legal analysis, Pakistan, online regulation, censorship.

## INTRODUCTION

This has led to the emergence of new forms of media and consumption of content, as well as the development of norms for interacting with media content. Due to newly encroached cyber threats, fake news, and radicalization governments across the globe appear to legislate on new frameworks for digital governance. In this regard, Pakistan has recently passed the Prevention of Electronic Crimes (Amendment) Act, 2025 (PECA 2025) after its affirmation by the president. Thus, after signing, the changes to the PECA 2016 are legal.

The government maintains that PECA 2025 is aimed at improving the ability of Pakistan to combat cybercrimes, moderating content and protecting its cyberspace. However, the law has received a lot of criticism from people saying that it increases government control, criminalises people's protests, and limits their freedom of speech online. Some of the key amendments are the creation of Social Media Protection and Regulatory Authority (SMPRA) and the National Cyber Crime Investigation Agency (NCCIA), both known to be empowered to regulate content, investigate cybercrimes and enforce compliance from the platforms. He also underlines that the law increases penalties for the publication of 'fake news', makes social media companies register and operate in accordance with the law, meaning that they will filter information presented in certain media. whereas, the former argue that these measures are useful in addressing incidence of fake news, cyber harassment, and threats among others, the latter consider its negative impacts such as censorship, oppression of dissent and restriction of press freedoms.

### Global Context and Comparative Analysis

It is important to emphasise that with the help of the PECA 2025 Canada has seemingly responded to the trends observed in the management of digital spaces across the globe, although the regulation approaches differ significantly from one country to another. Some, such as the United States and the United Kingdom, have moderate rules to regulate actions of social media platforms while at the same time supporting free speech. Some nations, such as Turkey and China, censor censorship on the Internet with a powerful state that does not let citizens have many freedoms there. India, in the meantime, has adopted some of the measures which are middle A68 ground solutions where platforms are compelled to follow presidency orders but can have their own procedures to MODERATE the content.

Comparing the PECA 2025 with the media regulation laws of India, the USA, the UK, Turkey and China, it can be said that the new Pakistani law is aligned more towards Turkey and China's authoritarian regime rather than India, the USA, the UK, which are the democracies. But there are significant differences in factors such as the extent of platform independence, measures we will take against the fake news, levels of censorship, and surveillance in the different platforms. While PECA 2025 The laws of the USA do not enforce state censorship as they have the right to freedom of speech under the First Amendment (Electronic Frontier Foundation., 2023) and the UK's Online Safety Act does not censor content instead, the platforms are held liable (Government of the United Kingdom., 2023). On the other hand, China is one of the leading countries having a very restricted internet policy, which fully controls content, bans foreign platforms, and uses real-time monitoring, which resembles Pakistan's newly expanded law under PECA 2025 (China Law Translate., 2021).

## **National and International Concerns**

The enactment of PECA 2025 has triggered strong responses from national and international stakeholders, including journalist associations, human rights organizations, political opposition, and global media watchdogs. Organizations like Amnesty International, the Committee to Protect Journalists (CPJ), and the International Federation of Journalists (IFJ) have criticized the law, arguing that it violates fundamental human rights, restricts free expression, and could be used to target journalists, political activists, and dissenters. They highlight concerns over vague definitions of "false information", which could lead to the arbitrary prosecution of critics and independent media outlets.

Similarly, in Pakistan, PFUJ and Human Rights Commission for Pakistan have opposed the PECA 2025, dubbing it as a tool to stifle free media and regulate the narrative. Many quarters, mainly the political opposition; Pakistan Tehreek-e-Insaf (PTI) Pakistan Peoples Party (PPP) and other factions have also spoken against it by elaborating that the law gives more power to the executive branch, lacks judicial review and poses a threat to the democratic system in the country. On their part, the government insists that the law is important to tame fake news, boost security on the social media platforms, and provide legal jurisdiction of most incidents that happen on the social media platforms.

## **Significance and Implications**

The adoption of the described legislation can be assessed as a major step in the development of digital governance and freedoms in Pakistan given the introduction of PECA 2025. If not well monitored, it threatens freedom of speech, attempts to control media, and increases state spying. On the other hand, it can also assist in dealing with legitimate risks threatening cyberspace, enhance accountability, and harmonise Pakistani cyber laws with the global standards.

This report will assess PECA 2025's provisions, compliance of these provisions with international standards, and the impacts it shall have on the media and political scenario of Pakistan and rights to digital freedom. As a result, this report highlights a comprehensive evaluation with media laws of India, the USA, the UK, Turkey, and China and stakeholders' response and legal analysis of the law to enhance an understanding of the law to the various dimensions that participated in the debate on digital governance in Pakistan.

## **Methodology**

This incident report of the Prevention of Electronic Crimes (Amendment) Act, 2025 (PECA 2025) used an extended and pluralistic research method to propose the research objectives with minimal frame reasonableness to observation and recommendation. The research methods employed include the legal research of major legal provisions for media and digital Right in Pakistan and its commencement are involved the stakeholders' analysis of the literature and the survey of national and int'l media laws.

## **Data Collection Methods**

The report draws upon a variety of primary and secondary sources, including:

- **Legal Documents:**
  - PECA 2025 text and official amendments.
  - Pakistan's Constitutional provisions related to freedom of expression.
  - Previous iterations of the Prevention of Electronic Crimes Act (PECA 2016) for comparison.
  
- **Comparative Analysis of International Laws:**
  - Media and cybercrime regulations from India, the USA, the UK, Turkey, and China were reviewed to compare state control, misinformation laws, penalties, and enforcement mechanisms.
  
- **Expert Opinions & Stakeholder Responses:**
  - Statements from legal experts, digital rights activists, journalists, and political leaders.
  - Official responses from government representatives, opposition parties, and international organizations (e.g., Amnesty International, CPJ, IFJ, HRCP).
  
- **Media Reports & Scholarly Articles:**
  - Reports from reputed media outlets, human rights organizations, and digital freedom advocacy groups.
  - Academic research on fake news legislation, cyber laws, and digital governance.

### **Comparative Legal Framework Analysis**

A country-wise comparison was conducted to examine how different legal systems regulate misinformation, digital censorship, and online speech. Key aspects compared include:

- **Regulatory authorities** overseeing digital platforms.
- **Scope and definition** of fake news and misinformation.
- **Penalties and enforcement mechanisms** for misinformation violations.
- **Surveillance and investigative powers** of government agencies.

- **Freedom of speech protections vs. state control over digital content.**

### **Stakeholder & Political Party Analysis**

A detailed review of political responses was undertaken, analyzing the stances of major political parties in Pakistan, including PTI, PPP, JUI-F, JI, ANP, and MWM. The government's official justification for PECA 2025 was also examined.

### **Recommendations Based on Best Practices**

The Fake News Watchdog's recommendations are derived from:

- International best practices in digital governance.
- Fact-checking mechanisms in democratic countries.
- Input from media experts and legal professionals advocating for a balanced approach to misinformation regulation.

### **Limitations of the Study**

- The analysis is based on publicly available data, and government deliberations on PECA 2025 were not fully transparent.
- Since PECA 2025 is a new law, long-term impacts remain speculative and require future observation.
- While the report considers multiple perspectives, political biases in stakeholder responses could influence their positions.

This report adopts a holistic approach to assess PECA 2025's potential impact on free speech, press freedom, and digital governance in Pakistan. By incorporating legal analysis, expert insights, stakeholder opinions, and global comparisons, it aims to provide an objective and well-rounded perspective on the law's consequences and necessary reforms.

### **WHAT IS PECA 2025?**

The Prevention of Electronic Crimes (Amendment) Act, 2025 introduces significant amendments to the Prevention of Electronic Crimes Act, 2016 (PECA) to modernize Pakistan's legislative framework for combating cybercrime and addressing the challenges posed by the rapid advancement of digital technologies. Below is a summary of the key provisions and objectives of the Act:

#### **Key Amendments and Provisions:**

Establishment of New Authorities:

**Social Media Protection and Regulatory Authority (SMPRA):**

To address the problem of the emergence of unlawful or offensive content, and guarantee safety in cyberspace, a new regulatory body for the social networks is created.

It has some specific rights to prevent or delete information, set standards, and penalise social networks and virtual communication applications.

They also advocate for education, research, and practise on the issues to do with safety and rights on aspects of cyberspace.

**National Cyber Crime Investigation Agency (NCCIA):**

There is a new formation of the body that deals with cybercrime complaints, investigations and trials.

The NCCIA has replaced the Cyber Crime Wing of the FIA and has the authority to investigate and to conduct forensic of any offences.

**Regulation of Social Media Platforms:**

SMPRA mandate all social media platforms to register with the authority and adhere to provisions of the body.

To be specific, platforms have to define the clear procedures that will be followed in case of receiving complaints regarding unlawful or offensive content.

Thereby the Authority can restrict or ban content that is deemed as violent or that contains hatred speeches or terrorism.

**Definition of Unlawful or Offensive Content:**

When defining the intent behind the given legislation, it is essential to understand that the Act bans materials that are unlawful or offensive in three specific ways:

It is likely to cause violence, hatred or break peace among the public.

Spreads fake or false information.

Contains obscene or pornographic material.

This will definitely encourage terrorism or act of violence against the state.

Damages the reputation of individuals or institutions.

**Social Media Complaint Council:**

A fresh Social Media Complaint Council is created for the purpose of taking and handling complaints from the public on any breach of the Act.

The Council includes the Chair, members possessing the knowledge of IT, laws concerning social networking sites and the governance of the same.

**Social Media Protection Tribunal:**

There is a formation of a Tribunal whereby it hears cases involving the social media violation and appeals that are made concerning the decision given by the SMPRA.

The jurisdiction of the tribunal to decide all its cases is stipulated at 90 days and its decisions are not final as they can be referred to the Supreme Court of Pakistan.

**Penalties for False Information:**

The Act also provides penalties for the use of fake or fake information on social media that causes people to fear, flee, or upset.

It is the punishment for the offence with a foreign company that carries up to 3 years of imprisonment or a fine of up to 2 million Rupees or both.

**Powers of Investigation:**

By the provisions of this Act, only the officers of the NCCIA have powers to investigate cyber crimes.

One of the functional powers of the NCCIA is that they can cooperate with other agencies in the policing and intelligence gathering process.

**Transitory Provisions:**

Thus the existing investigation agency and the Pakistan Telecommunication Authority (PTA) will continue to exist till the SMPRA and NCCIA are set up.

**Miscellaneous Provisions:**

Some of the sections of the Act cover the budget, account, and audit of the SMPRA.

It also offers the protection of indemnity to the government officials and authorities for the actions undertaken in good faith under the Act.

**Objectives of the Act:****Modernization of Cybercrime Legislation:**

The Act seeks to modernise Pakistan's laws in regard to the increasing threat of cybercrimes and other related criminal activities.

**Protection of Digital Rights:**

The formation of the SMPRA and NCCIA is basically aimed at safeguarding people's rights in the digital world, policy-making and governing of contents posted in the Internet as well as encouraging people's good conduct especially for those who spend most of their time on the social networks.

**Combating Misinformation and Hate Speech:**

The Act provides provisions that deal with; fake news, hate speech and content, which incites violence or breaches of the peace.

**Alignment with International Standards:**

These changes prove that Pakistan is working towards standards for the global fight against cybercrime, as well as respecting the rights of netizens across cyberspace.

**Promoting Accountability in Cyberspace:**

It aims at making the social media operators and users being responsible for the law and code compliant.

## **MEDIA REGULATIONS IN OTHER COUNTRIES**

Media are restricted by a variety of laws depending on the country's political and legal systems and cultural norms. Reasons for such differing policies range from the belief that completely free and unfettered press freedom is suitable for other countries but not for China to the idea that being connected to the internet means that strict rules and regulations must be put in place for all content to be controlled and moderated. Through the Prevention of Electronic Crimes (Amendment) Act, 2025 (PECA 2025), Pakistan has enhanced the regulation of social media, criminalised fake news, and thereby brought more sections of freedom of speech under the state's domain. While, for instance, the USA allows free speech without much interference, China tightly controls it and is an example of an absolute state control model of digital platforms. The middle ground where the nations, such as the United Kingdom, India, and Turkey, fall, or at least attempt to, is the complete freedom of the media but with some limitations placed on the content. This section also compares the provisions of PECA 2025 with media laws of India, the USA, the UK, Turkey and China in terms of similarity and dissimilarities such as content moderation, regulatory department, penalties and press freedom.

There are differences in media regulations of different countries depending on the government attitude, social beliefs and their legal systems. Currently, governments across the world have different approaches to regulating the media, depending on the different aspects of the freedoms of speech, the level of security, and misinformation. There are countries where freedom of speech is respected and protected extensively for media organisations, there are countries where restrictions are placed to ensure that the media houses report information that the state wants.

### **United States: A Strong Free Speech Tradition**

Media regulation in the United States is mainly anchored on the Constitution being protected by the First Amendment which guarantees freedom of speech and of the press. There is very little regulation by the government itself; most leading tech companies have signed up for regulatory codes of practice and there are independent supplemental regulators. The modern mass media is mainly composed of broadcast media, which is regulated by the Federal Communications Commission (FCC) though the rights of the American people to free speech have increased due to digital technology platforms (Dolunay et al., 2017). They are protected by laws such as section 230 of the Communication Decency Act as this policy favours limited

intervention. Nevertheless, there is controversy around the reinforcement of moderation policies concerning specific topics, including false information, prejudice, and interference in the voting processes.

### **China: State-Controlled Digital Landscape**

It is important to realise that China is one of the most openly censorship-friendly countries in the world regarding media, traditional and otherwise. China has an organisation known as the Cyberspace Administration of China that regulates the content that is posted online, and they prohibit information that is politically sensitive (Han, 2016). The country has the “Great Firewall” that prevents foreign websites including; Google, Facebook and twitter by providing domestic copies of WeChat and Weibo which are highly regulated by the government. New legislation like Data Security Law and Personal Information Protection Law compels further restricting the Freedom of Media and only reports the narratives which are acceptable to the Communist Party.

### **United Kingdom: Balanced Regulation and Media Independence**

The restraining of journalism entails a certain level of regulation of content within the United Kingdom adheres to the system of regulation of free press. Ofcom is the main media regulator that maintains the standards on broadcasts and coverage of the news diversity. The continuum of regulation also applies to online platforms by laws like the Online Safety Bill, which aims at the elimination of content that poses harm to the users but also protects the freedom of speech. While the protection of human rights is crucial for every country, the UK has well-developed legal regulation of defamation and violation of privacy that guarantees free speech in journalism while restricting unfounded information with the help of the state.

### **India: Expanding Digital Oversight**

In recent years, India has extended the limits to freedom of speech even in media and especially in regards to the internet. The Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021 brought more compliance obligations to social media companies although they obliged them to take down unlawful content expeditiously (Ashwin, 2021). In the case of traditional media, there is relatively greater freedom in comparison to new media because of the increased pressure from laws against fake news, defamation, and hate speech. The growth of government control over the people has raised eyebrows with regards to freedom of speech, specifically in regards to the press.

### **Turkey: Political Control Over Media**

Turkey a country that has increased restrictions on the media through regulation that gives Government control over social media (Kurban, 2015). This is done by the Radio and Television Supreme Council (RTÜK) in the broadcasting media, and then by the recent updates of the internet law of Turkey that allows the related authorities to block social media which are claimed to be disseminating fake news. There remain restrictions on freedom of speech and human rights with journalists and other press institutions experiencing legal hurdles, defamation and terrorism legislation being utilised to stifle freedom of speech.

In relation to media, the degree of freedom that is observed in the different countries of the world ranges from that of America with more or less protection for freedom of speech to China that closely monitors the media. While the UK and India try to be somewhat balanced between free and controlled voices, Turkey and China tend to rely on state control.

### **Media Regulations in India (MeitY, 2021)**

- **Regulatory Authorities**
  - The Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021 empower the Ministry of Electronics and Information Technology (MeitY) to regulate online platforms.
  - The Press Information Bureau (PIB) Fact Check Unit monitors fake news.
  - The Broadcasting Content Complaints Council (BCCC) oversees digital news and OTT platforms.
  - The Cyber Crime Coordination Centre (I4C) deals with online crimes.
  
- **Social Media & Digital Content Regulation**
  - The IT Rules 2021 require social media platforms to appoint grievance officers and remove content flagged by the government within 36 hours.
  - Intermediaries must trace the originator of messages upon government request.
  - Fake news regulations give fact-checking powers to PIB, leading to concerns over press freedom.

- The Digital Personal Data Protection Act, 2023 (DPDP) grants the government control over online data use.
- **Definition of Unlawful Content**
  - The IT Act, 2000 prohibits content that:
    - Threatens public order, decency, or morality.
    - Defames individuals or spreads misinformation.
    - Threatens national security or sovereignty.
- **Investigative Powers**
  - The IT Rules authorize government agencies to monitor and intercept digital communications.
  - The Central Bureau of Investigation (CBI) and state cybercrime units investigate digital offenses.
  - The Indian Telegraph Act permits surveillance of digital communications.
- **Stakeholder Concerns & Criticism**
  - Journalists and civil rights groups argue that the IT Rules and PIB Fact Check Unit grant excessive government control over news and digital content.
  - The traceability clause in the IT Rules is seen as a threat to end-to-end encryption.
  - The Digital Personal Data Protection Act, 2023 is criticized for allowing government access to private user data.

### **Key Difference between PECA 2025 and Indian Media Regulations**

While both PECA 2025 and Indian media regulations aim to combat cybercrime and misinformation, their implementation raises concerns about press freedom and government overreach.

- Pakistan's PECA 2025 establishes new regulatory bodies and harsh penalties for fake news, prompting fears of digital censorship.

- India's IT Rules & DPDP Act impose platform liability and grant the government power to remove content and trace messages, raising privacy and free speech concerns.

Both laws reflect a trend toward increasing state control over digital media, but critics argue they risk undermining democratic freedoms.

**Media Regulations in the United States of America (USA)** (Electronic Frontier Foundation., 2023; U.S. Congress., 1996).

- **Regulatory Authorities**
  - Federal Communications Commission (FCC): Regulates broadcast media but has limited control over digital platforms.
  - Federal Trade Commission (FTC): Monitors digital markets, misinformation, and consumer protection.
  - First Amendment Protections: The U.S. does not have a central regulatory body for social media content, as free speech is protected under the Constitution.
- **Social Media & Digital Content Regulation**
  - No mandatory platform registration or direct content control by the government.
  - Social media platforms self-regulate under Section 230 of the Communications Decency Act (CDA), which grants them immunity for third-party content.
  - Government cannot censor content unless it involves illegal activities (e.g., incitement to violence, child exploitation).
  - Platforms voluntarily moderate content through their community guidelines (e.g., Facebook, Twitter, YouTube).
- **Definition of Unlawful Content**
  - The First Amendment protects most speech, including controversial or false information.
  - However, some content is restricted under existing laws:
    - Incitement to violence (Brandenburg v. Ohio).

- Defamation (must meet a high legal standard of "actual malice" for public figures).
- Child pornography and explicit illegal content.
- Platforms voluntarily remove harmful content, but the government cannot legally force removal without a court order.
- **Investigative Powers**
  - Law enforcement agencies (FBI, Department of Justice, Cyber Crime Units) investigate cybercrimes, but they require a warrant for surveillance.
  - The Fourth Amendment protects against unreasonable searches, so authorities cannot monitor digital activity without legal authorization.
  - The Electronic Communications Privacy Act (ECPA) regulates how authorities access digital communications.
- **Fake News & Disinformation Laws**
  - Fake news is not illegal, as it is protected under the First Amendment.
  - The government cannot punish misinformation unless it causes direct harm or defamation.
  - Platforms regulate misinformation (e.g., Twitter's fact-checking policies, Facebook's removal of false COVID-19 claims).
  - Defamation cases require plaintiffs to prove actual harm and malice in court.
- **Stakeholder Concerns & Criticism**
  - Civil Liberties Groups (ACLU, EFF): Oppose any government intervention in content regulation.
  - Tech Companies: Concerned about potential regulations affecting their autonomy.
  - Public Debate: While misinformation is a problem, many Americans resist government involvement in online speech regulation.

## PECA 2025 vs USA's Media Regulations

- Pakistan's PECA 2025 introduces strict state control over social media and online content, criminalizing fake news and expanding government surveillance powers.
- The USA has no equivalent law due to First Amendment protections, allowing broad free speech rights, even if the content is false or misleading.
- In Pakistan, the government has direct authority to remove content and prosecute users, whereas in the U.S., private platforms regulate speech and the government cannot legally censor content without due process.

Thus, PECA 2025 reflects an authoritarian approach to digital governance, while U.S. media regulations prioritize free expression, despite challenges posed by misinformation.

## Media Regulations in the United Kingdom (UK) (BBC NEWS, 2023) Government of the United Kingdom. (2023)

- **Regulatory Authorities**
  - Ofcom (Office of Communications): Regulates broadcast, digital media, and online platforms under the Online Safety Act 2023.
  - Information Commissioner's Office (ICO): Enforces data protection laws (GDPR, UK Data Protection Act 2018).
  - Crown Prosecution Service (CPS): Prosecutes cases of online harassment, defamation, and illegal content.
- **Social Media & Digital Content Regulation**
  - Social media companies must prevent and remove harmful content (illegal material, hate speech, self-harm content, child exploitation).
  - Platforms must comply with Ofcom's regulations or face fines of up to 10% of global revenue.
  - Does not criminalize misinformation or defamation unless it violates existing laws.
  - Free speech is protected, but companies must take action against harmful but legal content.

- **Definition of Unlawful Content**

- Illegal content includes:
  - Child sexual abuse, terrorism, and incitement to violence.
  - Hate speech and harassment under the Public Order Act 1986.
  - Defamation is a civil offense, and lawsuits require proof of serious harm (Defamation Act 2013).

- **Investigative Powers**

- Law enforcement agencies (Metropolitan Police, National Crime Agency, CPS) investigate cybercrimes.
- Authorities require court approval for surveillance or accessing private data (Regulation of Investigatory Powers Act 2000).
- Social media companies, not the government, regulate content removal, under Ofcom's oversight.

- **Fake News & Disinformation Laws**

- No specific law criminalizing fake news, but platforms must tackle misleading content under Ofcom's rules.
- Defamation laws apply, but penalties are civil, not criminal.
- The UK government does not have the power to block social media content directly.

- **Stakeholder Concerns & Criticism**

- Human rights groups: Concerned about the "legal but harmful" content category, which might impact free speech.
- Tech companies (Meta, Twitter, Google): Oppose potential over-regulation and high fines.
- Privacy advocates: Raise concerns about the requirement for messaging apps to scan encrypted messages for illegal content.

## Comparison with PECA 2025

- Pakistan's PECA 2025 introduces strict state control over digital platforms, criminalizes misinformation, and allows government agencies to block content.
- The UK's Online Safety Act 2023 enforces platform accountability without government censorship, emphasizing corporate responsibility over direct state control.
- Pakistan's law grants the government broad powers, while the UK relies on independent regulatory bodies (Ofcom) to enforce online safety rules.

### Key Difference:

The UK emphasizes free speech and corporate responsibility, whereas Pakistan centralizes digital regulation under the government, leading to concerns over censorship and state control.

## Media Regulations in Turkey (Reporters Without Borders., 2024; Turkish Parliament. (2022))

- **Regulatory Authorities**
  - Radio and Television Supreme Council (RTÜK): Regulates broadcast and digital media.
  - Information and Communication Technologies Authority (BTK): Enforces internet regulations and can block websites.
  - Social Media Law (2020 Amendment to the Internet Law 5651): Requires platforms to appoint local representatives and comply with content takedown requests.
- **Social Media & Digital Content Regulation**
  - The Social Media Law (2020) requires major platforms (Facebook, Twitter, YouTube) to appoint local representatives for government oversight.
  - Platforms must store user data in Turkey and comply with government takedown requests within 48 hours.
  - Failure to remove content can result in fines, bandwidth throttling, or total platform bans.
  - Misinformation Law (2022) criminalizes spreading false information that causes public concern, with up to 3 years in prison.

- **Definition of Unlawful Content**

- Unlawful content under Law 5651 includes:
  - Threats to national security or public order.
  - Insults against the President or state institutions (under Article 299 of the Penal Code).
  - Defamation and misinformation that disrupts public peace.

- **Investigative Powers**

- The BTK and RTÜK can restrict internet access and order social media platforms to remove content.
- New surveillance measures allow authorities to track user activities and force ISPs to store data.
- Law 7253 (2020) grants police enhanced digital surveillance powers, requiring VPN and social media data sharing.

- **Fake News & Disinformation Laws**

- The Disinformation Law (2022) criminalizes spreading false information that threatens public order.
- Violators face up to 3 years in jail if found guilty of deliberately spreading misleading news.
- Journalists and social media users are often prosecuted under this law.

- **Stakeholder Concerns & Criticism**

- Human Rights Watch (HRW) & Reporters Without Borders (RSF): Argue the Social Media and Disinformation Laws are used to jail critics.
- Opposition parties call the law a tool to silence dissent before elections.
- Major tech companies like Twitter and Meta resisted compliance with the 2020 Social Media Law but eventually appointed local representatives.

## PECA 2025 vs Turkey's Social Media & Disinformation Laws

Both Pakistan (PECA 2025) and Turkey (Social Media & Disinformation Laws) share strict government control over digital spaces, including social media regulations, criminal penalties for fake news, and expanded surveillance powers.

- Pakistan's PECA 2025 creates a centralized regulatory body (SMPRA) and criminalizes misinformation, but its tribunal system adds an extra layer of legal control over online content.
- Turkey's Social Media Laws require platform compliance with local authorities, and its Disinformation Law allows criminal prosecution of journalists and users.

Both countries face international criticism for using digital laws to suppress dissent, censor opposition, and restrict press freedom.

## Media Regulations in China (China Law Translate. (2021)).

- **Regulatory Authorities**
  - Cyberspace Administration of China (CAC): Central authority regulating digital content, internet governance, and censorship.
  - Ministry of Public Security (MPS): Enforces cyber laws and investigates online crimes.
  - Great Firewall: A government-controlled system that filters, blocks, and monitors online content across China.
  - State Council Information Office: Oversees news media and controls information dissemination.
- **Social Media & Digital Content Regulation**
  - Strict content censorship through the Great Firewall:
    - Bans foreign platforms like Facebook, Twitter, and Google.
    - Blocks politically sensitive topics (e.g., Tiananmen Square, Hong Kong protests).
  - Real-name registration: Social media users must register with their real identities.
  - Content filtering: Platforms must proactively remove politically and socially sensitive content.

- Misinformation & Fake News Laws:
  - Spreading false information is punishable by imprisonment.
  - Media is strictly controlled by state agencies.
- **Definition of Unlawful Content**
  - Unlawful content under China's cyber laws includes:
    - Criticism of the Communist Party or government policies.
    - Promotion of Western democratic values.
    - Content related to protests, dissent, or Taiwan's independence.
    - Unverified or misleading information that disrupts public order.
- **Investigative Powers**
  - The Ministry of Public Security (MPS) can monitor online activity in real-time.
  - Surveillance & AI-based monitoring used to detect dissent.
  - Social Credit System: Online activities affect a citizen's social credit score, influencing access to services like travel and loans.
  - Companies are required to share user data with the government (e.g., WeChat and Alibaba comply with surveillance regulations).
- **Fake News & Disinformation Laws**
  - Strict punishment for spreading "rumors" or false information:
    - Users can be jailed for up to 7 years for spreading politically sensitive false news.
    - Social media platforms must delete "unverified" content immediately.
  - Government tightly controls news sources—only state-approved sources can distribute political information.
- **Stakeholder Concerns & Criticism**

- International human rights organizations: Condemn severe online censorship and lack of press freedom.
- Foreign governments: Criticize China for restricting digital freedoms and state surveillance.
- Tech companies: Face pressure to comply with Chinese regulations or risk being banned.
- Activists and journalists: Often arrested or detained for criticizing the government online.

### **PECA 2025 vs China's Media Regulations**

Both Pakistan (PECA 2025) and China (Cybersecurity Laws & Great Firewall) impose strict government control over digital spaces, including social media regulations, criminal penalties for fake news, and expanded surveillance powers.

- Pakistan's PECA 2025 introduces a centralized regulatory body (SMPRA) and criminalizes misinformation, but still allows some access to foreign platforms.
- China's model is more extreme, banning foreign platforms outright and implementing AI-powered surveillance.
- Both countries face criticism for restricting press freedom and digital rights.

#### **Key Difference:**

China has a fully state-controlled internet, while Pakistan's approach still allows some degree of digital freedom but increases government oversight over online content.

### **Tabular Comparison of PECA 2025 with Media Regulations in India, USA, UK, Turkey, and China**

Aspect	Pakistan PECA2025	India	USA	UK	Turkey	China
<b>Regulatory Authority</b>	SMPRA, NCCIA, Social Media Tribunal	MeitY, PIB Fact Check Unit	FCC, FTC (no direct content regulation)	Ofcom, ICO	RTÜK, BTK	CAC, MPS, Great Firewall
<b>Social Media Regulation</b>	Mandatory platform registration, strict government control	Intermediaries must follow IT Rules, remove flagged content	Platforms self-regulate under Section 230	Platforms self-regulate under Ofcom's supervision	Platforms must appoint local reps, comply with takedown orders	Foreign platforms banned, strict state control
<b>Content Restrictions</b>	Fake news, defamation, hate speech, national security risks	Fake news, defamation, national security risks	Illegal content only (terrorism, child abuse, incitement to violence)	Illegal content (terrorism, child abuse), hate speech laws	Fake news, defamation, national security, criticism of state	Political dissent, Western values, anti-government speech
<b>Penalties for Misinformation</b>	3 years imprisonment, fines up to 2 million rupees	No specific law; defamation is civil, takedown orders apply	No criminal penalties, only civil defamation lawsuits	No criminal penalties, only civil lawsuits	3 years imprisonment for spreading false information	Up to 7 years in prison for spreading rumors
<b>Surveillance &amp; Investigation</b>	NCCIA has broad powers, real-time digital monitoring possible	Police can access user data under IT Act, trace origins of messages	Law enforcement requires court approval under Fourth Amendment	Law enforcement requires court approval under privacy laws	Police can monitor social media, ISPs must store user data	AI-based mass surveillance, real-time content monitoring
<b>Censorship Level</b>	High – Government can block	Moderate – Government can	Low – Free speech protected,	Moderate – Platforms must	High – Government controls	Extreme – Total internet control,

	content, prosecute journalists	order takedowns, platform compliance required	no direct censorship	remove harmful content, fines apply	narratives, fines & bans possible	content filtering, foreign platforms blocked
<b>Criticism &amp; Concerns</b>	Suppression of free speech, political targeting, lack of transparency	Free speech concerns, increasing government control over digital media	Misinformation risks, but strong free speech protections	Balancing free speech and harmful content moderation, privacy concerns	Used to silence dissent, control digital narrative	One of the world's most restrictive digital environments

PECA 2025 guarantees the intense control by the Pakistani government over the internet and social media, condemns fake news, and increases surveillance. A scrutiny with Indian, American, British, Turkish, as well as Chinese journalism and media exhibits a difference in regulation, platform responsibility, and press freedom in these sample countries.

### Key Takeaways:

- Pakistan 's PECA 2025 is one of the most oppressive digital laws as it provides most extensive powers to the authorities in terms of controlling and punishing online content.
- Like most other jurisdictions India and the UK have a model of regulated intermediaries where the State and platform bear some responsibility for moderation, but the threat of increasing State control remains.
- The USA values freedom of speech and has limited interference from the government granting any social media company regulations power to moderate content under Section 230.
- Turkey and China exert tight state regulation with China being the most suppressive – the country has blocked foreigners and follows real-time censorship.

Some countries like Pakistan, Turkey and China have used their laws on misinformation as ways of controlling their population's perception and hence stifering freedom of the press and voicing out.

PECA 2025 has positioned Pakistan more towards Turkey and China as a state-controlled Social Media Regulation rather than towards the democratic countries such as the USA, UK or India. It suggests an increase in censorship, threat of punitive actions against factually false information as well as expansive surveillance capabilities that raise concerns on freedom of speech, freedom of the press, and freedom of the people.

### Critical Discourse Analysis (CDA) of PECA 2025: Power, Control, and Resistance in Digital Governance

Discourse is therefore used under CDA to analyse how language is used in the context of PECA 2025 and how different stakeholders contribute to constructing, justifying as well as resisting digital governance policies. These tests reveal that political economy and communication analysis of PECA 2025 seems to be largely related to tensions of power and authority and the democratic values in Pakistan's cyberspace. This section specifically focuses on how the government, opposition parties and other strategic players and institutions construct discursive energies in an effort to mobilise the public and control policy discourses.

### **Government's Justification: Framing Security and Regulation as Necessities**

The government of Pakistan uses securitisation rhetoric to support the legislation of the Prevention of Electronic Crime Act 2025 as a measure for tackling disinformation, cyber threats, and the emergence of new uncontrolled online platforms. Federal Minister for Information, Attaullah Tarar in his interviews and official addresses uses it in a manner whereby the law will act as a tool to "govern the digital media," "make those accountable for their online contents" and "protect the national security" (Tarar, 2025). The creation of the SMPRA and NCCIA is couched in terms of 'amending the cyberspace laws of Pakistan' and 'centring with global benchmarks' (Government of Pakistan, 2025).

Key rhetorical strategies include:

- **Problem-Solution Framing:** The government constructs an existential threat —"**unchecked digital expansion,**" "**fake news campaigns,**" and "**malicious online activities**"—which PECA 2025 is positioned to resolve (Government of Pakistan, 2025).
- **Euphemistic Language:** The use of terms like "**protection,**" "**regulation,**" and "**accountability**" conceals the restrictive nature of the law while legitimizing state control (Tarar, 2025).
- **Delegitimization of Opposition:** The government dismisses critics as "**irresponsible actors**" or part of a "**misinformation ecosystem**" that must be dismantled to ensure public safety (Government of Pakistan, 2025).

This discourse positions the state as the sole authority in defining "**false information,**" raising concerns about selective enforcement and political bias.

### **Opposition and Stakeholder Responses: Resisting State Control Through a Freedom and Rights-Based Discourse**

In contrast, political opposition parties, journalist associations, and international human rights organizations construct a counter-discourse emphasizing " **censorship,**" "**repression,**" and the erosion of democratic freedoms. Amnesty International, CPJ, HRCP, and IFJ frame PECA 2025 as a "**draconian law**" that "**stifles dissent,**" "**criminalizes journalism,**" and "**expands digital authoritarianism**" (Amnesty International, 2025; CPJ, 2025; HRCP, 2025; IFJ, 2025).

Key linguistic strategies include:

- **Crisis Language:** The bill is described as a **"black law," "attack on press freedom,"** and **"digital repression,"** invoking fear about the future of free speech (PFUJ, 2025).
- **Legitimization of Resistance:** Opposition parties, particularly PTI, ANP, and JI, frame their rejection of the law as a **"defense of constitutional rights"** and **"standing with the people"** (PTI, 2025; ANP, 2025; JI, 2025). The PTI labels the law as **"a weapon to silence critics,"** positioning itself as the protector of democratic values (PTI, 2025).
- **Victimhood and Suppression:** Journalistic bodies highlight the **"victimization"** of journalists, warning that vague definitions of **"fake news"** could lead to widespread arrests and media suppression (HRCP, 2025).

These rhetorical choices counter the government's **"security-first"** approach by shifting the narrative toward fundamental rights and press freedom.

### **Media and Digital Platform Framing: Battleground of Narrative Control**

Media organizations, both domestic and international, play a crucial role in shaping the public discourse around PECA 2025. Their framing is largely influenced by whether they support government oversight of digital platforms or advocate for independent journalism.

- **State-Aligned Media:** Certain news outlets echo the government's stance, emphasizing the **"importance of regulating digital platforms"** and **"curbing online misinformation"** (Government of Pakistan, 2025). They reinforce the idea that **"unregulated digital spaces breed chaos and insecurity"** (Tarar, 2025).
- **Independent and International Media:** Outlets critical of PECA 2025 focus on its implications for press freedom, often using terms like **"authoritarian drift," "state-controlled narratives,"** and **"Pakistan's shrinking civic space"** (Amnesty International, 2025). Reports frequently compare PECA 2025 to digital repression models in **Turkey and China,** reinforcing fears of increasing state control (CPJ, 2025).

### **CONCLUSION**

The new law called the Prevention of Electronic Crimes (Amendment) Act, 2025 (PECA 2025) has raised concerns all over the country with reference to the rights provided to regulate social media, national security, and freedom of speech. The former explains it as an anti-disinformation, cybersecurity, and anti-cyber crime measure while the latter says it is a dangerous bill that grants a licence for the state to oppress the people and suppress dissent including freedom of speech particularly in the social media. The bill was passed in a hurry, consultations with the relevant stakeholders have not been conducted, basic terminologies such as 'fake news' have not been well defined, these and many more have only increased distrust from the public and provoking resistance from journalists, opposition and civil society.

The comparative analysis of PECA 2025 with media regulation laws and policies of India, USA, UK, Turkey and China shows that Pakistan's measures are closer to the authoritarian approach to regulating the internet rather than the democratic approach. Unlike the USA and the UK, where freedom of speech as enforced by the court has autonomy over censorship of information, PECA 2025 concentrates government power, whereby the authorities can ban content or prosecute citizens for violations under vague offenses. India still has some stringent IT rules, while Turkey has criminalised the work of disseminating false information; however, the most severe digital control model belongs to China. Pakistan's recent move towards aggressive regulation poses a severe threat to democracy, media freedom and liberty of Speech in the country.

Extensive national, and global concerns on digital repression is evident from the opposition from, among others, Amnesty International; Committee to Protect Journalists (CPJ); the Human Rights Commission of Pakistan (HRCP); and the International Federation of Journalists (IFJ) to PECA 2025. Basically, every political party such as PTI, PPP, ANP, JUI-F and JI has shown its displeasure towards it, arguing that it could be used to frame political rivals while muzzling free speech. Even people who we would expect to support religious tolerance like leaders of civil society have also categorically condemned the PECA 2025 as the act is unconstitutional and undemocratic including Allama Raja Nasir Abbas of MWM. The PFUJ and the rest of the journalistic community has threatened to protest against the new bill as it interferes with the rights of media in the country.

## **Recommendations**

While tackling fake news and misinformation is essential, it must not come at the cost of fundamental freedoms and human rights. To ensure a fair, transparent, and balanced approach to digital regulation, the Fake News Watchdog recommends the following key reforms to PECA 2025:

### **Clarity in Definitions**

The meaning of 'fake news' and 'misinformation' has to be clearly defined and must not violate legal norms to protect journalists, members of the opposition, and independent media outlets. There should be special distinctions between satire, opinion, journalism, and disinformation as a way of protecting free speech.

### **Consensus-Based Legislation**

It means that the government needs to dialogue with the media journalists, digital rights organisations, media houses, opposition parties and civil society organisations before coming up with laws that have to do with digital.

It is noteworthy that a parliamentary committee on digital media should be established to revisit articles of the PECA 2025 and try to garner majority support.

### **No Political Victimization**

There ought not to be an allowance for the use of the law in a way that targets political rivals or anyone who may express discontent with certain government actions.

It is wise to recommend legal measures that will curb arbitrary arrests, selective enforcement, and politically motivated cases under the PECA 2025.

### **A Scalable System for Fake News Detection**

It is recommended that a proper plan of how to fight fake news rather than launch a ban on it be prepared.

Generally, the public needs a fact-checking of events reported by these sources to independently establish grounds on legal procedures to be taken.

### **Fact-Check Desks in Government Institutions**

Stations ought to be implemented in major governmental institutions in order to counter such falsehoods as effectively, clearly, and ethically as possible.

These units should hire the independent media watchdogs to enhance their credibility and be impartial.

### **Investment in Research and Education**

More research activities in universities and research institutions should be done in topics related to misinformation, digital literacy, and artificial intelligence in the identification of fake news.

Owing to this, efficiency, digital literacy programmes should be implemented to enlighten the citizens, journalists, and policymakers on the differences between fake and authentic information.

In its present form, PECA 2025 undermines important values such as freedom of speech, press freedom, and democratisation of power in Pakistan. Although tackling fake news is a noble cause, opacity, hasty procedural actions, and extensive regulatory powers stimulate the authorities' top-down management of the online environment. If left alone, this law would open the door for more government regulation of media, surveillance and censorship of politics in Kenya.

Probably it is time for Pakistan to have democratic PECA 2025 through meaningful consultation with the stakeholders, judiciary, and other enabling legal means without compromising the country's security or flattening freedoms. We consider these recommendations of the Fake News Watchdog as a somewhat realistic way of enhancing and developing Pakistani regulations to regulate social media while fulfilling the rights of media personnel and the public's right to information. Otherwise, Pakistan may witness PECA 2025 as a legal shield that will be used to suppress the freedom of media rather than promote its accountability within digital media platforms.

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