

Vague Laws and Digital Censorship: The Constitutional Challenges of the Prevention of Electronic Crimes Act (PECA) Amendments, 2025

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ABSTRACT

The Prevention of Electronic Crimes Act (PECA), 2016, recent amendments in 2025 have set off a major debate regarding their consequences for freedom of expression and right to fair trial in Pakistan. This study analyzes the vague and overbroad provisions that are included in the amendments, focusing on their possibility of government overreach, arbitrary use, and digital censorship. Through the examination of pivotal provisions of the said Act i.e. Section 26A (criminalization of disinformation), Section 2R (powers of the Social Media Protection and Regulatory Authority), and Section 2C (censorship of content), this paper analyzes their constitutional validity in light of Articles 19, 19A, and 10A of the Constitution of Pakistan, 1973. Employing the Vague for Vagueness doctrine, the research contends that such amendments are not clearly articulated in law, posing a high risk of discriminatory application and the stifling of dissident voices. The study highlights that PECA's expanded state control over digital expression lacks adequate procedural guarantees, disproportionately affecting the media, activists, and ordinary citizens. The results show that these amendments undermine fair procedures, equal rights of trial, and democratic transparency by giving unrestricted powers to regulators. To address these constitutional challenges, the research calls for legislative reforms and greater transparency in digital governance to ensure that the PACE is in line with Pakistan's constitutional guarantees on freedom of speech and the right to information.

Keywords: PECA, Constitutionality approach, Discriminatory effects, Media, Fair procedures and trials.

INTRODUCTION

“Men of common intelligence cannot be required to guess at the meaning of [an] enactment” (Winters v. New York, 1948). Vagueness is a principle or a doctrine of due process that can apply to any criminal and several civil laws (Library of Congress, 2025). Its importance is especially increased in the context of government restrictions on speech because ambiguity regarding an unclear rule may deter both protected and unprotected speech under the Constitution (Brown v. Entertainment Merchants Association, 2011). The amendments that are made to the

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Prevention of Electronic Crimes Act (PECA), such as, Section 26A, which criminalizes the dissemination of "false or fake information," and Section 2R, which authorizes the Social Media Protection and Regulatory Authority (SMPRA) to delete or block content deemed to be against "the ideology of Pakistan" or that which puts "aspersions against institutions," raise serious problems in light of this doctrine. The vague nature of these provisions allows for wide-ranging interpretations, which may lead to arbitrary censorship and online surveillance.

In the context of the First Amendment, concerns related to vagueness often intersect with arguments stating that the law is significantly overbroad and covers too much protected speech (*NAACP v. Button*, 1963). A comparable issue emerges within Pakistan's constitutional framework, as Article 19 guarantees freedom of speech but allows for "reasonable restrictions" that are vaguely defined in laws such as PECA. Article 19A also ensures the right to access information, which might be compromised by state-controlled content regulation implemented under PECA. The expansion of governmental oversight over digital platforms, illustrated by PECA's 2025 amendments, raises questions about whether these restrictions conform to constitutional protections or function as tools for digital censorship and the suppression of dissent. In *United States v. Beckles* (2017), the U.S. Supreme Court held that a law might be vague in a constitutional sense if it is written in a way without standards to allow arbitrary enforcement.

The Pakistan PECA amendments pose the same problem, especially in Sections 2C and 2R, where they grant unlimited power to SMPRA for content takedown without clear guidelines or judicial intervention. Such sweeping power invokes due process issues under Article 10A of the Pakistan Constitution, ensuring a right to fair trial and protection from arbitrary legal proceedings. The absence of clear legal standards to determine "false" or "harmful" content breeds uncertainty, leaving individuals, journalists, and media outlets vulnerable to the danger of legal exploitation. The concept of freedom of speech has its roots in ancient Greece, where it was considered an integral component of democracy. The Greeks made use of the word *parrhesia*, meaning "free speech" or "to speak freely," which emerged in Greek literature at the end of the fifth century B.C. (Onion, 2017).

With time, this notion has evolved into what is now generally accepted as "freedom of expression," including not only freedom to express oneself freely but also freedom of the press, the right to petition the government, and political association (Brown, 2021). Freedom of speech is often regarded as "the indispensable condition for almost every other form of freedom," a doctrine recognized in constitutional jurisprudence (*Palko v. Connecticut*, 1937). In Pakistan, Justice Fazal Karim emphasized that Article 19 of the Constitution not only guarantees freedom of speech but also a broader notion of freedom of expression encompassing expressive conduct (Karim, 2018, p.1188). However, the PECA amendments constitute a direct challenge to these safeguards by establishing ambiguous and sweeping censorship measures that can be used to stifle dissent.

Research Questions

The aim of research is to synthesize the constitutional consequences of the PECA amendments on fundamental rights, focusing on freedom of speech and right to fair trial in order to avoid obfuscation & ensure conformity with the intent of legislators. Research questions are identified to address the said aim:

- i. Analyze the effects on constitutional guarantees in Pakistan of amendments carried out in 2025 in the Prevention of Electronic Crimes Act (PECA), 2016.
- ii. To what degree do the ambiguous sections in the PECA amendments generate legal ambiguity and potential exploitation against individuals and the media?

LITERATURE REVIEW

The literature on how PECA amendments affect freedom of speech and right to a fair trial by using vague provisions offers a complex perspective of the issues and consequences associated with constitutional safeguards. Aslam criticizes the 2025 PECA amendments for increasing state control over online platforms through the Social Media Protection and Regulatory Authority (SMPRA). He contends that the loose and general phrasing of the amendments, rather than fighting against misinformation, not only has the potential to muzzle voices of dissent but also curtail basic rights such as freedom of speech under Article 19 and the right to information under Article 19A. His cross-country comparison with international practice indicates a difference between Pakistan's strategy and more equitable regulatory systems in the likes of the EU, US, and UK, indicating the imperative of balanced strategies rather than over-penalization (Aslam, 2025). Ahmed (2025) emphasizes the ambivalence between national security and constitutional protections, discussing how the expanded surveillance and defamation punishments under PECA impact press freedom as well as privacy.

By examining PECA's consistency with Article 19 of the ICCPR and the Pakistani Constitution, Ahmed recognizes the danger of arbitrary censorship and its negative impact on investigative journalism. The examination highlights the importance of open digital governance, legislative change, and judicial review to safeguard democratic values while guaranteeing security. Ahmed's research affirms the view that PECA's overreach undermines the constitutional balance between state interests and individual rights.

(Daudpota, 2025) analyzes the amendments which are brought about by the Prevention of Economic Crimes (Amendment) Act, 2025, criminalizing the spreading of false or fictitious information. The author argues that such provisions unconstitutionally limit freedom of speech, contravening Article 19 and Article 9 of the Constitution of Pakistan. He also emphasizes that the amendments impose ambiguous and excessively sweeping limits, not fulfilling constitutional protections like the doctrine of prior restraint and the strict scrutiny test. The research also denounces the defective appeal mechanisms for content take-downs and claims that the legislation places an unconstitutional prior restraint on free speech. Malik, 2019 critique adopts a procedural law point of view, pinpointing shortfalls in the collection of evidence and how this makes it difficult for prosecution under PECA. Inappropriate procurement of evidence leads to acquittals, pointing towards structural changes to provide procedural compliance and enforce effective application of the law. Though not aimed directly at constitutional issues, Malik's criticism of procedural inefficiency indirectly points to flaws in the protection of the rights of the accused during PECA investigations.

Khan, 2019 on the Prevention of Electronic Crimes Act, 2016 examines its impact on freedom of expression in Pakistan's digital space. Utilizing qualitative document analysis, the research shows that several provisions of PECA-2016 do not adequately protect freedom of expression and the right to access quality information. The results reveal that these aspects of PECA-2016 hinder human rights, particularly the freedoms of speech both online and offline. This literature deals with the constitutional issues surrounding the unclear aspects of the PECA amendments that particularly affect freedom of expression (Article 19) and the right to a fair trial.

The vague and broad language in these amendments leaves room for ambiguous interpretation, which leads to arbitrary censorship and government encroachment in the name of countering disinformation and upholding public order. The absence of detailed legal definitions and procedural guarantees raises the risk of abuse against journalists, activists, and advocates of free speech. The expansion of bureaucratic discretion without adequate oversight further elevates concerns over digital censorship and abuse of due process. To mitigate the risk of abuse, the literature advocates for legal reforms and more defined legal standards to guarantee that PECA adheres to constitutional protections instead of infringing on fundamental rights.

Conflict between PECA Amendments and Constitutional Rights

The amendments to the PECA 2016 have caused alarm regarding its possible clash with fundamental constitutional rights in Pakistan, particularly Articles 19, 19A, and 10A. Article 19 of the Constitution protects free speech and expression, allowing citizens to speak freely, but subject to reasonable and lawful restrictions for reasons such as Islam, national security, public order, decency, or morality. In addition, the article provides citizens with a right to information on public interest issues, which promotes transparency in a democratic society. Article 10A provides a right to fair trial and due process so that individuals are not subjected to unjust or arbitrary legal proceedings (The Constitution of Pakistan, 1973).

The Scope of Section 26-A in Combating False Information

Section 26A of PECA 2016 has introduced a new offense under the Pakistani law for penalizing the dissemination of false and misleading information. It states that whoever knowingly publishes, exhibits, or circulates information which they know or have reasonable cause to believe is false or misleading and tends to create or cause fear, panic, disorder, or unrest among the public can be sentenced to imprisonment for a term not exceeding three years, or a fine that can be extended up to two million rupees, or both. Moreover, Section 2A(1) of the PECA 2016, as amended by the PECA 2025, authorizes the Federal Government to create a new institution, the Social Media Protection and Regulatory Authority (SMPRA), by mere notification. Section 2C of PECA 2016 also allows affected persons to apply to SMPRA to have such information blocked or removed, with SMPRA having to do so within 24 hours, including issuing removal orders or blocking access. Section 2R(1)(g) of PECA 2016 (amended by PECA 2025) also gives SMPRA the authority to instruct social media platforms to delete or block content deemed fake or false, or if there are reasonable grounds to suspect its authenticity.

Analysis of Amended PECA (Act) 2025 in the Light of “Vagueness Doctrine”

The 2025 amendment to Section 26A of PECA, criminalizing the spread of false or misleading information, can give rise to fear or cause unrest, which can lead to the stifling of dissenting opinions and critical commentary. The amendments place greater punishment on those who are accused of spreading misinformation or material that is considered to disturb public order. Though counteracting misinformation is a significant concern, the amendments fail to present concrete definitions for what constitutes "false information." These sweeping prohibitions against "false" or "fictional" content jeopardize constitutional protections. Investigative reporting, political commentary, and social activism risk enhanced legal liabilities as media operations and freelance journalists are more open to charges that could undermine their professional reputations. The ambiguous definitions set by this act give powers to the authorities to censor material or silence opposition beyond reason.

The aforementioned crime of disseminating false or deceptive information is itself vague and ambiguous in its terms, leading to uncertainty because there is no express guidance or bright-line definition about what conduct will be criminal and what will not. Prosecutors can eventually abuse this provision by bringing cases based on overzealous interpretations. The vagueness doctrine should serve as a vital tool to counter such interpretations. This principle discourages interpretations of the law that are unreasonably vague or vague, encouraging courts to embrace readings of such crimes that are reasonably precise and specific. The vagueness doctrine includes two distinct and largely independent tests: fair notice and discriminatory enforcement. The fair notice test considers whether the law is so vague and lacking in standards that it renders the public unable to know what behavior it prohibits. When a law is so vague that a person cannot tell what is forbidden, it enables judges to decide, without any legally prescribed standards, what is forbidden and what is not in each individual case. The second test addresses discriminatory enforcement. Under this test, a statute is considered unconstitutionally vague if it does not give the police minimal guidance, thus promoting arbitrary and discriminatory enforcement. The constitutional flaw in the present case is not what the law means to a prospective offender but how the law is or would be enforced by police officers in practice. The concern is with how much discretion the law gives to law enforcement officers. If the statute authorizes enforcement on the mere discretion of any police officer, it is unconstitutional because it is too vague, since it fails to provide minimum guidelines (Daudpota, 2025).

Challenges in the Pakistani Context and Comparative Perspectives

However, the Pakistani courts have not yet developed or established the "vagueness doctrine" in their own jurisprudence, but until then, the prosecution will function under vaguely worded laws (like the ones discussed above), resulting in a great deal of confusion and uncertainty about the prosecution's conduct based on such laws. Online material that may be highly offensive or potentially cause annoyance or inconvenience includes ambiguous terms that include a wide range of protected and innocuous speech. A person may state or even endorse, by written message posted online, opinions or viewpoints concerning government, literature, science, or other matters that might be distasteful to particular groups. It is obvious that having an opinion about any topic may provoke annoyance, inconvenience, or be found to be extremely offensive to some. For example, a portion of a particular group may find online communications in favor of "liberal

opinions," like women's liberation, to be extremely offensive or annoying. This subject matter may be considered grossly offensive, annoying, inconvenient, insulting, or harmful to a lot of people in certain communities and would come within the purview of the revised PECA Act, 2016. It goes without saying that the updated PECA'16 is defined so amply that essentially any opinion on any matter can be included by it since any material thought going against modern social values would necessarily be caught in its ambit (Daudpota, 2025).

The amendments also make anonymous social media speech a crime by mandating registration of users and platforms with government authorities (Gul, Khan & Naznin, 2021). A statute that defines a crime with ambiguous terms is problematic regarding due process. In the US, courts use particular scrutiny against vague laws pertaining to First Amendment rights because of their chilling effect on protected speech (Hessick, 2016). The U.S. Supreme Court, in *Connally v. General Construction Co.*, held that a law is unconstitutional if individuals "of common intelligence must necessarily guess at its meaning" (Legal Information Institute, 2000).

This principle establishes that laws restricting free speech must be clearly defined to avoid undue restriction of fundamental rights. The doctrine of void-for-vagueness also adds that penal laws need to clearly define criminal conduct in a manner that makes it easy for people to understand what behavior is prohibited. The doctrine also guarantees that law enforcement authorities do not use unlimited discretion when enforcing the law (Hessick, 2016). If one is to analyze Section 26A of PECA under this legal test, it does not pass the required legal test and ends up causing a devastating effect on freedom of speech. These sections have frequently been employed as tools for political oppression and personal grudges (Dad, 2017). According to U.S. constitutional standards, due process requires that laws be precise, comprehensible, and comprehensively available to the masses. In Pakistan, where the literacy rate is around 40%, the ambiguous language in Section 26A of PECA renders it hard for the masses to understand their legal responsibilities. Therefore, these provisions do not pass the due process test, a necessary condition for safeguarding free speech (Liaqat et al., 2016).

Court precedents uphold the importance of precision in laws governing freedom of speech. The U.S. Supreme Court has repeatedly invoked the void-for-vagueness doctrine in addressing laws that infringe on First Amendment rights. In *NAACP v. Button*, the Court ruled that statutes limiting free expression need to undergo strict scrutiny in order to avert overly sweeping and arbitrary applications (Hessick, 2016). In the same way, in *Unar Sattar v. The State*, the court specified three fundamental reasons why statutes that are too vague are unconstitutional. First is the need for fair warning, which entails that statutes should give citizens reasonable notice of prohibited behavior so that they may conduct themselves appropriately. The second is the avoidance of arbitrary application, which calls for laws to provide explicit and clear guidelines for law enforcement officers, judges, and juries so that the law can be applied evenly. The third is the chilling effect on basic rights since ambiguous laws tend to discourage people from exercising their rights due to fear of possible legal repercussions (Hessick, 2016).

International Legal Obligations

The responsibilities of Pakistan under the International Covenant on Civil and Political Rights (ICCPR) show legal limitations as far as inhibiting free speech is concerned. Pakistan has

become a party to the ICCPR since it is obliged to do so as it ratified it (Brien, 2016). Section 37 of PECA-2016 goes against the benchmark laid out by the ICCPR and appears as an attempt at having state control over cyber-expression. The inconsistencies between Sections 11 and 37 of PECA and the standards of ICCPR are a source of concern regarding Pakistan's commitment to international human rights norms (Raza, 2017). The information age has altered the terrain of human rights violations, particularly in the virtual realm, where state-imposed constraints on digital rights pose mounting difficulties (Mathiesen, 2014). There are three important criteria for domestic law that regulate freedom of speech. The principle of legality demands that any limitation on speech must be clearly spelled out and narrowly tailored. The requirement of purpose legitimacy demands that limitations must serve a legitimate goal, such as the protection of national security, ensuring public order, or protecting other people's rights. The proportionality and necessity principle demands that any limitation should be in relation to the harm they seek to prevent and should not exceed reasonable limits. But Sections 11 and 37 of PECA impose restrictions without adequate protections, making them incompatible with these international legal standards (Shepherd, 2017).

State-Controlled Content Regulation

Social media refers to the interaction between people using technological platforms. The platforms facilitate users to access large quantities of information in unprecedented ways, as well as permit personalization through the power to control the flow of information (Boothe-Perry, 2014). Examples of popular social media platforms include Facebook, Twitter, YouTube, Instagram, LinkedIn, and blogs. People can use social media to rapidly disseminate information (Meyer, 2014), such as comments, images, and videos, typically for free (Johansmeyer, 2011), related to the use of a device for social media. Many individuals can see what an individual posts on social media (Schulz, 2012), and the posted information can be available on the internet forever (Bartels & Lee, 2013).

The Social Media Protection and Regulatory Authority (SMPRA), established through Section 2R of PECA, is the point of major concern. The organization has been tasked with tremendous and undefined authority over online material, removal of material deemed illegal or offensive, and imposition of constraints on social media. The Federal Government retains jurisdiction over SMPRA, allowing for political control of regulating content. Section 2R also provides SMPRA with the leeway to censor or remove online material on unstated grounds, further raising concerns of censorship and stifling political dissent (Prevention of Electronic Crimes Act [PECA], 2025).

The vagueness of Section 2R of the PECA 2025 amendments is noteworthy, rooted in the deployment of vague, subjective, and undefined terms, allowing discretionary interpretation by the authorities. Clause (a), which criminalizes the creation of content "against the ideology of Pakistan, etc," is especially troubling because it does not specify what the "ideology of Pakistan" is. Clause (g), which prohibits content "known to be spurious, or false or where there are reasonable grounds to believe that the same may be spurious or false beyond a reasonable doubt," is ambiguous in that it does not clarify who determines the truthfulness of the information. The clause in Clause (h), prohibiting "aspersions against any person including members of the Judiciary, Armed Forces, Majlis-e-Shoora (Parliament), or a Provincial Assembly," is a typical

example of vague language that does not contain specific legal standards. The word "aspersions" is not defined, and one wonders whether it encompasses responsible criticism, political satire, or investigative journalism.

This clause can be used to insulate public officials from criticism instead of protecting people from harm. The provision also grants broad discretionary powers to the Authority without putting in place well-defined due process procedures. There are no specific guidelines on how content will be assessed, the degree of scrutiny that will be used, or any appeal if content is inappropriately removed. This lack of procedural safeguards increases the likelihood of arbitrary censorship. In addition, the section imposes general restrictions on electronic speech, especially in Clauses (b) to (e), which make incitement to lawlessness, coercion, intimidation, and public disorder criminal offenses. These, however, are ill-defined terms that are subject to wide interpretation. In short, the vague and sweeping provisions under Section 2R grant sweeping powers to the authorities with inadequate protection, posing grave threats to free speech and online rights. The lack of precise definitions, objective legal criteria, and mechanisms of due process makes the law susceptible to arbitrary application. These ambiguities violate constitutional guarantees under Articles 19 and 19A, which guarantee freedom of speech and access to information, and are in contrast to Pakistan's international obligations under the ICCPR. (United Nations, 1966, art. 19).

Violation of Right to Fair Trial

It is stated by the ICRC (1863) that the right to a fair trial is established in different international instruments, including the International Covenant on Civil and Political Rights (ICCPR), the Universal Declaration of Human Rights (UDHR), regional human rights law, and international humanitarian law. The right to fair trial and due process has been regarded as a basic right and is enshrined under the Constitution of Pakistan in Article 10-A. Even though the expression "right to fair trial" is not specifically defined in the law, the higher courts of Pakistan, even before the addition of Article 10-A, acknowledged and enforced this right through different decisions and dicta (*Mureed v. State*, 2010 MLD 318; *Nazeer Ahmed alias Papu v. State*, 2010 YLR 722; *Samad Electronic v. Tariq Sherwan*, 2008 SCMR 177, etc.). As held in *Mst. Zamrad Begum v. Muhammad Rafique Chaudhry*, with the addition of Article 10-A to the Constitution, the right to a fair trial and due process has now become a fundamental right for all individuals. The doctrine of protection of law and being treated in accordance with the law has become an inherent and noncompromisable right of all Pakistani citizens.

Section 2C allows the newly created Social Media Protection and Regulatory Authority to take action on complaints that 'fake and false information' has been posted and to order its removal or blocking within 24 hours before the formal adjudication. Under the proposals, the accelerated trial procedure will effectively eradicate the time and resources currently available to a defence prior to trial, and hence significantly enhance the risk of miscarriage of justice. The amendments will also make trials in absentia possible, enabling individuals to be convicted without being given due process of law. The doctrine of due process, as highlighted in the seminal case of *Begum Shorish Kashmiri* (PLD 1969 SC 14), highlights that any limitation on fundamental rights has to comply with judicially formulated legal standards. The PECA amendments, by granting unbridled discretion to authorities, contravene this doctrine and potentially undermine

the protections of free expression and fair trial. The PECA amendments, by providing unchecked discretion to authorities, violate this doctrine and risk eroding the safeguards of free expression and fair trial.

CONCLUSION AND RECOMMENDATIONS

The terminology in clauses like Section 26A, which penalizes "false information," and Section 2R, which discusses "aspersions against institutions," needs to be carefully rephrased. These terms have no definite legal meanings and are open to arbitrary or politically driven interpretation. These need to be defined with specificity, informed by standards of law and judicial interpretations, to ensure against abuse of power and in favor of the constitutional guarantee of legal certainty.

The ambit of censorship legislation under PECA must be restricted to specifically exclude categories of protected speech, including political commentary, satire, and investigative journalism. These are fundamental aspects of democratic debate and need to be protected. Any regulation of online speech must be framed so that criticism of government, public institutions, or policy choices is not criminalized on imprecise or subjective grounds.

Section 2C, which allows SMPRA to act expeditiously against purportedly false content, has to be modified to accommodate a rights-friendly, transparent content moderation system. The statute should mandate prior notice and opportunity to be heard to be provided to users preceding any takedown measure imposed. Users should also have the ability to appeal content removal orders to an impartial judiciary, thereby ensuring accountability and observation of due process standards.

All SMPRA decisions must be subject to mandatory review by independent courts. Such a judicial oversight mechanism must be codified into law so that SMPRA cannot act in such a way that it infringes fundamental rights granted under Articles 19 and 10A of the Constitution. There must be a clear structure of appeal whereby citizens can contest censorship or regulatory overreach.

The government should issue explicit prosecutorial standards and judicial guidelines to be used when enforcing PECA provisions. This encompasses setting up standards for determining criminal intent, harm, and public interest in online speech cases. These guidelines would temper the discretion of law enforcement, enhance legal predictability, and ensure equal protection of the law.

Employment of trials in absentia facilitated by PECA amendments violates the constitutional right to a fair trial. The statute must be repealed to clearly prevent convicting any person without offering them a fair chance to defend themselves in a court of law. Legal provisions must be provided to ensure no individual is taken into custody without complete and fair legal proceedings as required under Article 10A.

The penalties under PECA, especially for indefinite speech-related crimes, are generally excessively harsh. Imprisonment for several years and ridiculously high fines must be lowered

and re-tuned in accordance with global norms of human rights like the ICCPR. The emphasis should be on restorative justice and rehabilitation rather than criminalization of speech.

For non-violent, speech-oriented cyber offenses, the government must substitute criminal punishment with civil sanctions, fines, or alternate dispute resolution mechanisms. This would decongest the criminal justice system, lessen the possibility of abuse of cyber laws, and make sure that speech-oriented disputes are dealt with in a reasonable and proportionate manner.

The preparation, amendment, and enforcement of cyber legislation must be conducted in consultation with civil society groups, digital rights activists, legal experts, journalists, and representatives of the media. These interested parties can provide useful input and ensure that the law is well-balanced, democratic, and respectful of constitutional freedoms.

Standing committees or ad hoc parliamentary committees must be formed to review PECA amendments for their compatibility with constitutional rights. Such committees will have to hold public hearings, gather inputs from legal experts and human rights organizations, and suggest changes before any law is enacted or implemented.

Pakistan should bring its cyber laws in line with global instruments like the International Covenant on Civil and Political Rights (ICCPR) and the European Convention on Human Rights (ECHR). Legal limits on speech must always satisfy the three-pronged test of legality, necessity, and proportionality, so that any interference with digital rights is lawful and reasonable.

The government must research and implement successful models of digital rights protection from the EU, the United States, and other democratic regimes. Legal protections, transparency in content moderation, and judicial accountability under the EU Digital Services Act and U.S. First Amendment jurisprudence can inform a PECA framework that is effective, rights-respecting, and constitutionally sound.

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