



6 March 2014 – for immediate release

Pakistan: Draft Cybercrime Law Threatens Digital Development

The Centre for Law and Democracy (CLD) is today releasing Comments on a new cybercrime law, the draft Prevention of Electronic Crimes Act, 2014, which is currently being considered by the government of Pakistan. The CLD Comments highlight the fact that the draft Act threatens to undermine the development of the Internet in Pakistan. The draft Act does contain some positive aspects, such as rigorous procedural protections regarding cybercrime investigation and limitations on intermediary liability, but its broadly defined crimes threaten to turn almost every Pakistani Internet user into a criminal.

“Internet usage remains relatively limited in Pakistan today, undermining not only freedom of expression but the very pace of development in the country,” said Toby Mendel, Executive Director of CLD. *“If the government wishes to encourage greater Internet use, it is critically important that this law adequately respect human rights.”*

Among other problematic provisions the draft Act would outlaw any use of an information system in excess of authorisation, effectively making the violation of terms of service on websites and hardware products a criminal offence. It also threatens online privacy by prohibiting the use of tools which hide an Internet user’s identity and by imposing a sweeping data retention scheme. Another problem is that it seeks to extend and reinforce Pakistan’s already problematic criminal defamation rules.

The Prevention of Electronic Crimes Act, 2014 has been approved by the Ministry of Information Technology and will be considered by Cabinet in advance of its presentation to Parliament.

The Comments are available at: <http://www.law-democracy.org/live/pakistan-draft-cybercrime-law-threatens-digital-development>.

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