

Secretary
Cabinet Division
Government of Pakistan
Islamabad

Dear Sir,

**Serious concerns about the e-Crimes Draft Law
A Threat to the Security, Fundamental Rights under the Constitution and Interests
of the IT Industry and Investors**

In recent days we, in the IT industry, have been made aware of some serious concerns with regard to the current Draft e-Crimes Bill approved in principle by the Cabinet.

We must inform you that the erroneous legislation in terms of its legal language, definitional errors, policy implications, complete conflict with International Best Practice and International Treaties, failure to provide any safeguards and a complete violation of Fundamental Human Rights under the Constitution of the Islamic Republic of Pakistan 1973 has led to great concern and uneasiness not just within the IT industry but amongst all sectors of business and industry. In particular the International Chamber of Commerce and Center for International Private Enterprise have also expressed their concern to the Ministry for IT & Telecom and the advent of the legislation does not bode well for Foreign Direct Investment into Pakistan.

The draft legislation was not shared with the Industry in any meaningful manner. Even the few who commented including the 67 page report of the International Chamber of Commerce highlighting the serious and extensive errors has not been considered nor implemented by the Ministry of IT & Telecom and serious obvious and damaging flaws remain in the draft Bill.

The failure of the Ministry to share the draft with the industry, not hold stakeholder meetings and interviews and most importantly the lack of any policy study to ascertain the true nature and impact of the various erroneous definitions, policies and frameworks

is not encouraging for investment. Effectively, the draft law was created within the Ministry without first doing a stakeholder study.

We appeal to the Cabinet Division to allow the draft to be shared with stakeholder groups and allow what would be the first meaningful consultation on the draft law. We have attached a self-explanatory ‘Frequently Asked Questions’ document to give you a broad idea of what is the devastating impact this legislation will have on business, industry, investment and fundamental human rights.

Best regards,

President
Pakistan Software Houses Association for IT & IT enabled Services
P@SHA

cc.

Mr. Awais Ahmed Khan Leghari
Honorable Federal Minister for IT & Telecom
Ministry of IT & Telecom
Islamabad.

Mr. Ishaq Khan Khakwani,
Honorable Minister of State for Information Technology
Islamabad.