

JAC Calls Upon Opposition Parties & Senate to Amend PECB15

August 21, 2015: On May 3, the National Assembly's Standing Committee on IT [invited public input](#) on the Prevention of Electronic Crimes Bill 2015, in writing via email, within seven days. On May 7, collectively, 10 organizations under the umbrella of the Joint Action Committee (JAC) submitted [consolidated comments and requested a meeting](#). When the NA Standing Committee on Information Technology & Telecommunications met to discuss the comments at the [Parliament House on May 22](#), members of the JAC present were asked to provide changes in legal formulation – collectively. A [legal redraft](#) was submitted on August 12.

Though the instructions issued to Ministry of Information Technology and Telecommunications (MoITT) at the meeting on May 22 were to hold a meeting with members of the JAC, no meeting was ever initiated or held. Neither was any subcommittee meetings held. The meetings were supposed to allow space to have a discussion on the contents of the bill. Yet, there was only interest in a legal redraft, not dialogue or discussion. Since no invitation for a meeting was issued between May and August, the JAC initiated meetings with MoITT and FIA (Federal Investigation Agency) in August. The aim was to convey our point of view and try and understand their reasoning.

Despite all this, not once did the subcommittee notify members of the JAC to attend and explain their point of view at length. Instead, even after the legal redraft was submitted, closed-door meetings of a subcommittee of the NA Standing Committee on IT were held to discuss our proposed legal redraft. The media, too, was barred from attending these proceedings. And our meeting requests were met with no response. The JAC comprises 10 organizations. Each organization has a designated representative. There is no reason to assume one person can or should represent all of them.

Time and again rights and industry groups have been held responsible for creating a noise but not providing any concrete suggestions. We went to the extent of furnishing a legal redraft that took into consideration other points of view. We went to great lengths to try and understand other perspectives and even accommodated views contrary to ours in the legal redraft. However, since this exclusionary attitude prevails, all such efforts have clearly been wasted. We move back to square one, where more than what has been put down in the legal redraft must be demanded. We realize fully that if this bill is to be modified at all in the interest of the people of Pakistan, differentiate between innocent people and criminals, and drafted in keeping with Constitutional protections guaranteed to citizens, this now rests in the hands of opposition parties and the Senate. We need security and rights – both together. Not one over the other.

Immense amount of time and effort has been spent to provide the government with concrete suggestions as they asked for time and again. The government, in denying us the space for dialogue must be compelled to do the following, at the very least:

Furnish, in writing, detailed reasoning for each suggested recommendation they choose not to include – not only on the legal redraft, but also comments submitted previously by individual organizations. This reasoning should include reference to legal precedents and what purpose their version of that section of the bill will serve.

Mere rhetoric and statements in the press will not do. If there are legitimate arguments against our recommendations, let those be shared, in writing, with the public. The citizens on whose behalf and for whose protection the government claims to be ushering in this bill, have a right to know.

Signed: Joint Action Committee

Bolo Bhi

Bytes For All (B4A)

Human Rights Commission of Pakistan (HRCP)

Internet Service Providers Association of Pakistan (ISPAK)

Pakistan Software Houses Association of Pakistan (P@SHA)