

Cybercrime bill

Bored teens, ethical hackers can end up in jail

Bill sent to parliament for nod; if cleared, investigators will become omnipotent

AZAM KHAN
ISLAMABAD

Ignoring all reservations of the citizens' Joint Action Committee on Cyber Crime Bill 2015, the National Assembly Standing Committee on Information Technology and Telecommunication adopted the Prevention of Electronic Crimes Bill 2015 on Thursday and referred it to parliament for the final nod.

If the parliament approves the "controversial" bill, then on the one hand white-hat (ethical) hackers and bored teenagers venturing into the illegal activity can end up in jail, and on the other, the officials investigating electronic crimes will be granted omnipotence with no checks and balances whatsoever on their actions.

The parliamentary panel was supposed to deliberate on the bill on Thursday, but majority of the members did not care to

turn up to the meeting. This paved the way for the Pakistan Muslim League-Nawaz (PML-N) legislators to grill all the critics of the bill, which include the media, internet service providers, non-governmental organisations and civil society.

Anusha Rahman, Minister of State for Information Technology & Telecom, told *The Express Tribune* that the perception that the legislation was not transparent or that there wasn't much consultation behind it was wrong. "Safeguards have been ensured against any possible misuse. There is no substance in the criticism on the legislation." She said that once the legislation is passed, Pakistan would succeed in winning over Google to launch a localised version of the video-sharing website YouTube.

Fariha Aziz, Director of not-for-profit Bolo Bhi, disagrees. "The draft bill in its current form will seriously impact the internet users, ICT (infor-

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mation and communications technology) industry, print and electronic media, academics, researchers, legal community and ordinary citizens – particularly the educated youth.”

PML-N MNAs, however, were all praise for the bill. Tallal Chaudry said: "We should trust in our institutions that they will not misuse this new legislation." Capt (ret'd) Mohammad Safdar took a different course: "There is no concept of freedom except which is defined in the Holy Quran and Sunnah." As for Maj (ret'd) Tahir Iqbal, he said the legislation was perfect. "Only one out of 100 officers would misuse this law."

The only legislator in the meeting who did not belong to the PML-N was Ali Raza Abidi of the MQM. He raised a few objections regarding various sections of the proposed legislation, but the PML-N members seemed to be in a hurry to approve the draft bill.

Under the bill, political criticism and political expression in the form of analysis, commentary, blogs, cartoons, caricatures, memes, etc have been criminalised; white-hat hackers, hobbyists, people who hack for academic purposes to identify security flaws in systems, or teenagers who, albeit wrongly, deface websites for recreation could end up getting convicted as cyber terrorists.

The committee believes that in its current form, the draft bill would not counter crime or terrorism. Moreover, it feels that by removing checks and balances on investigation agencies, the authorities would be granted omnipotence.

'DRACONIAN LAW'

Stakeholders condemn cybercrime bill

OUR CORRESPONDENT

KARACHI. With the Prevention of Electronic Crimes Bill 2015 likely to be tabled in the National Assembly any time, the business community, rights activists and legal experts have united to condemn what they say will be a "draconian law".

Expressing its disapproval of the current draft, the All Pakistan Business Forum (APBF) said the bill was a threat to internet users. Based on British, American and Canadian laws, and with technical assistance of the Council of Europe, a comprehensive bill against cybercrime was drafted in 2014 by Barrister Zahid Jamil.

The 2014 draft, according to the APBF, involved detailed consultations with key stakeholders and included

clearly defined clauses that criminalise hacking, identity theft, using sexually explicit images for blackmail and other recognised actions that take advantage of both anonymity and technology available through the internet and data systems.

"However, the Ministry of Information Technology has recently added some very harsh and unfair clauses in the bill, without taking any input from the stakeholders. The new clauses deny freedom of expression to the common citizens."

Some objectionable actions like illegal access to programmes or apps, taking down a website and certain kinds of phishing have not been included as offensive conduct, said the APBF.