

Mr. Awais Ahmed Khan Leghari
Minister of Information Technology and Telecommunications
Evacuee Trust Building
Aga Khan Road
F-5/1, Islamabad

Paris, 15 January 2008

Dear Minister,

Reporters Without Borders is worried about the impact on press freedom of the new Prevention of Electronic Crimes Act, which took effect on 31 December.

We would like to draw your attention to two of its provisions which strike us particularly dangerous.

- Article 13 on “Cyber stalking” makes it a crime to “take or distribute pictures or photographs of any person without his consent or knowledge.” Citizen journalism of the kind practised by bloggers is based on precisely this sort of activity. This article threatens freedom of information.
- Article 28 on retention of traffic data says: “A service provider shall, within its existing or required technical capability, retain its traffic data minimum for a period of 90 days and provide that data to the investigating agency or the investigating officer when required. The federal government may extend the period to retain such data as and when it deems appropriate.” This gives the authorities control over Internet users’ data and our organisation fears that this provision could be abused.

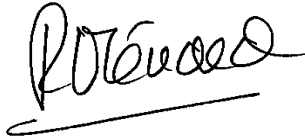
During a news conference on 10 January to announce the implementation of this new law, an Islamabad-based federal investigation agency representative tried to defend it by referring to Daniel Pearl’s murder and describing the exchange of emails between the kidnappers as a

“cyber crime.” We do not regard the sending of the emails as a crime, although acting on their content to kill a journalist clearly was one.

With just one month to go to legislative elections, freedom of opinion is a vital issue. The fight against terrorism should not be used as an excuse to reduce Internet users to silence. We call on you to clarify these points in order to display more transparency and to provide the necessary guarantees as regards respect for freedom of information.

I trust you will give this matter your careful consideration.

Sincerely,

A handwritten signature in black ink, appearing to read 'R. Ménard', with a horizontal line underneath.

Robert Ménard,
Secretary-General

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