



No.2(119)/2021-Chair-NCHR  
GOVERNMENT OF PAKISTAN  
NATIONAL COMMISSION FOR HUMAN RIGHTS  
5<sup>th</sup> Floor Evacuee Trust Complex, F-5/1,  
Agha Khan Road, Islamabad.



Islamabad, 20<sup>th</sup> January, 2022

Subject: **STATEMENT AGAINST THE PREVENTION OF ELECTRONIC  
CRIMES (AMENDMENT) ORDINANCE, 2022**

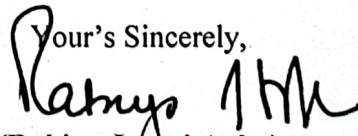
Dear Sir,

The National Commission for Human Rights (NCHR) is an independent statutory body created to look into matters pertaining to all forms of violations of human rights within the territorial jurisdiction of the Islamic Republic of Pakistan by virtue of the National Commission for Human Rights Act of 2012 provides as under.

2. The National Commission for Human Rights (NCHR) has serious reservations on the promulgation of the Prevention of Electronic Crimes (Amendment) Ordinance, 2022 as it is incompatible with the fundamental human right to the freedom of speech and expression — a right enshrined within Article 19 of the Constitution of Pakistan, and protected under various international agreements to which Pakistan is a party. Further, such enactment through an Ordinance without consultation with the relevant stakeholders vitiates the democratic process.

3. NCHR has special concerns regarding Section 20 of the Ordinance, which criminalises defamation, and the newly added sub section (1-A) of Section 20 extends the right to lodge a complaint to any member of the public even if they are not defamed. The amendment also defines “persons” to include “any company, association or body of persons whether incorporated or not, institutions, organisations, authority or any other body established by the government”. The use of vague language and broad definitions leaves room for the misapplication of the law to restrict political discourse and dissent, both of which are integral to a functioning democracy.

4. NCHR strongly believes that the freedom of the press is an inviolable right as it is necessary to inform and foster debate, and to hold public officials accountable for their policies and actions. Therefore, NCHR demands for an immediate repeal of the Ordinance.

Your's Sincerely,  
  
(Rabiya Javeri Agha)  
Chairperson (NCHR)

**The Secretary,  
Ministry of Human Rights,  
Government of Pakistan,  
Islamabad.**