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Government must remove draconian provisions from the Draft Cyber Security Act

Bangladesh

Responding to the news that the Cabinet yesterday approved the final draft of the Cyber Security Act (CSA), which is to replace the draconian Digital Security Act (DSA), Nadia Rahman, Amnesty International's interim deputy regional director for South Asia said:

"The Cabinet must not push through the Cyber Security Act (CSA) as it is largely a replication of the draconian Digital Security Act (DSA) that preceded it and retains repressive features which have been used to threaten and restrict the rights to freedom of expression, privacy and liberty in Bangladesh.

Its various overbroad provisions fail to meet the requirements of legality, necessity, and proportionality, and are therefore incompatible with international human rights law.

“The call for feedback on the CSA draft was a mere tick box exercise if substantial inputs by civil society were not taken into consideration. The CSA draft approved by the Cabinet, like the DSA, would empower the authorities to police permissible expression online and can be used to intimidate, harass and arbitrarily arrest journalists and human rights defenders, stifle peaceful dissent and silence critical opinions. Laws should be centered around protecting human rights, not clamping down on criticism.

“Amnesty International urges the Bangladeshi authorities to substantially amend the draft CSA before taking it any further and align it with international human rights law and standards, including the International Covenant on Civil and Political Rights (ICCPR), to which Bangladesh is a state party.”

Background

On 9 August, a draft of the Cyber Security Act was published on the website of the Information and Communication Technology (ICT) Department, Government of Bangladesh, seeking feedback from [stakeholders](#), such as civil society.

As per [reports](#), around 900 recommendations were submitted to the ICT ministry, and the new draft was placed before the Cabinet six days after the deadline of 22 August for submission of feedback. On 30 August, the Cabinet approved the CSA draft to be presented to the Parliament.

On 22 August 2023, Amnesty International submitted detailed feedback on the Draft CSA in an [open letter](#) to the Government of Bangladesh. It stated that the draft law retains all but one of the offences contained in the DSA verbatim and the only notable changes in the CSA were related to sentencing. It made several recommendations to the government to ensure the right to freedom of expression is protected in line with its obligations under international human rights law. Amnesty International's detailed feedback and analysis can be found [here](#).