



15 February 2021

Joint Statement on Draft Cyber Security Law

- A group of foreign chambers of commerce including **EuroCham Myanmar, French Myanmar Chamber of Commerce and Industry, German Myanmar Business Chamber, British Chamber of Commerce, Greece - Myanmar Chamber of Commerce, New Zealand Myanmar Chamber of Commerce, American Chamber of Commerce Myanmar** and **Italy Myanmar Business Association** expresses our collective deep concern about the Draft Cyber Security Law, released for the consultation of license holders under the Telecommunications Law on 9 February 2021.

Over the past decade, foreign businesses have witnessed and participated in the growth of a now flourishing digital business environment in Myanmar. This has not only allowed for better access to information, technology, and services, but also created significant employment opportunities in the digital economy.

Investors understand the importance of a robust cybersecurity framework and creating a secure digital environment for all, however, this proposed Draft Cyber Security Law as drafted goes beyond that scope and reach. As written, it gives authorities the ability to intervene in business operations at their unfettered discretion, including enforcing data localization, confiscation of data and equipment, and prohibition (either temporarily or permanently) of entire business operations.

As currently drafted, it requires internet service providers to disclose user information to the authorities at any point in time and without justifiable reasons or an authorisation from an independent judicial body of competent jurisdiction - this does not align with international standards and relevant regional regulatory frameworks.

As drafted online service providers may be required to remove, prevent or destroy any content (including speech, texts, images, videos, audio, files, signs or other means of expressions) which may be deemed to cause 'hatred and destroy peace and unity'. These terms are generally undefined in the draft and can be extensively misattributed.

Supporting the free flow of information is a critical and necessary condition for businesses and communities to operate.

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